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Statutes  
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Ontario. Statutes

# STATUTES

OF THE

## PROVINCE OF ONTARIO

PASSED IN THE SESSION HELD IN THE

### Fourteenth Year of the Reign of His Majesty KING GEORGE V

Being the First Session of the Sixteenth  
Legislature of Ontario

1924

BEGUN AND HOLDEN AT TORONTO ON THE SIXTH DAY OF FEBRUARY  
IN THE YEAR OF OUR LORD ONE THOUSAND NINE HUNDRED  
AND TWENTY-FOUR.



190704  
2/9/24

HIS HONOUR HENRY COCKSHUTT  
LIEUTENANT-GOVERNOR

TORONTO:

Printed and Published by Clarkson W. James, Printer to the King's Most Excellent Majesty  
1924

2010  
7/10



STATUTES

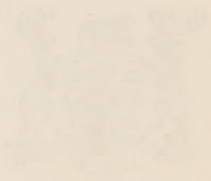
PROVINCE OF ONTARIO

FOURTEENTH YEAR OF THE REIGN OF HIS MAJESTY  
KING GEORGE V

HEREIN THE FIRST SESSION OF THE PARLIAMENT  
OF THE PROVINCE OF ONTARIO



100-24  
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(1924)  
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# 14 GEORGE. V

## CHAPTER 1.

An Act for granting to His Majesty certain sums of money for the Public Service of the financial year ending on the 31st day of October, 1924, and for the Public Service of the financial year ending the 31st day of October, 1925.

*Assented to 17th April, 1924.*

MOST GRACIOUS SOVEREIGN:

**W**HEREAS it appears by message from His Honour Preamble.

Henry Cockshutt, Esq., Lieutenant-Governor of the Province of Ontario, and the estimates accompanying the same, that the sums hereinafter mentioned in the schedules to this Act are required to defray certain expenses of the public service of this Province, not otherwise provided for, for the financial year ending the 31st day of October, 1924, and for the financial year ending the 31st day of October, 1925, and for other purposes connected with the public service; May it therefore please Your Majesty that it may be enacted, and it is hereby enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, as follows:

1. From and out of the Consolidated Revenue Fund of this Province, there may be paid and applied a sum not exceeding in the whole Eighteen million, six hundred and two thousand, six hundred and seventy-four dollars and eight cents towards defraying the several charges and expenses of the public service of this Province, not otherwise provided for, from the first day of November, 1923, to the thirty-first day of October, 1924, as set forth in Schedule "A" to this Act.

\$18,602,-  
674.08  
granted for  
year ending  
31st October,  
1924.

2. From and out of the Consolidated Revenue Fund of this Province, there may be paid and applied a sum not exceeding in the whole Fifty-one million, two hundred and ninety-eight thousand, six hundred and eighty-five dollars and thirty-five cents towards defraying the several charges and expenses of the public service of this Province, not otherwise

\$51,298,-  
685.35  
granted for  
fiscal year  
1924-25.

provided

provided for, from the first day of November, 1924, to the thirty-first day of October, 1925, as set forth in Schedule "B" to this Act.

Accounts to be laid before Assembly.

3. Accounts in detail of all moneys received on account of this Province during the said financial year 1923-24, and of all expenditures under Schedule "A" of this Act, shall be laid before the Legislative Assembly at its first sitting after the completion of the said period; and accounts in detail of all moneys received on account of this Province during the financial year 1924-25 and of all expenditures under Schedule "B" of this Act shall be laid before the Legislative Assembly at the first sitting after the completion of the said financial year.

Appropriations for 1923-24 unexpended to lapse.

4. Any part of the money under Schedule "A" appropriated by this Act out of the Consolidated Revenue, which may be unexpended on the thirty-first day of October, 1924, shall not be expended thereafter, except in the payment of accounts and expenses incurred on or prior to the said day; and all balances remaining unexpended after the said date or at such subsequent date as may be fixed by the Lieutenant-Governor in Council under the provisions of *The Audit Act* shall lapse and be written off.

Appropriations for 1924-25 unexpended to lapse.

5. Any part of the money under Schedule "B" appropriated by this Act out of the Consolidated Revenue, which may be unexpended on the thirty-first day of October, 1925, shall not be expended thereafter, except in the payment of accounts and expenses incurred on or prior to the said day; and all balances remaining unexpended after the said date or after a date fixed by the Lieutenant-Governor in Council as mentioned in section 4 shall lapse and be written off.

Accounting for expenditure.

6. The due application of all moneys expended under this Act out of the Consolidated Revenue shall be accounted for to His Majesty.

Commencement of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "A".

Sums granted to His Majesty by this Act for the financial year ending on the thirty-first day of October, one thousand nine hundred and twenty-four, and for the purposes for which they are granted:—

## CIVIL GOVERNMENT.

To defray the expenses of the several Departments at Toronto:

Department of the Prime Minister and President of the Council.....	\$ 7,900 00	
Attorney-General's Department.....	5,542 74	
Education Department.....	5,800 00	
Mines Department.....	26,200 00	
Department of Public Works..	50 00	
Department of Labour.....	27,674 85	
Department of Public Highways.....	6,825 00	
Treasury Department.....	15,000 00	
Audit Office.....	6,600 00	
Provincial Secretary's Department.....	12,050 00	
Department of Agriculture....	6,000 00	
Miscellaneous.....	2,100 00	
		\$121,742 59

## LEGISLATION.

To defray expenses of Legislation..... \$33,590 00

## ADMINISTRATION OF JUSTICE.

To defray expenses of Administration of Justice..... \$31,253 69

## EDUCATION.

To defray expenses of:

Public and Separate Schools Education.....	\$236,750 00
Normal and Model Schools, Toronto.....	16,800 00
Normal and Model Schools, Ottawa.....	4,300 00
Normal School, London.....	5,500 00
Normal School, Hamilton....	3,400 00
Normal School, Peterboro....	600 00
Normal School, Stratford.....	50 00
Normal School, North Bay....	18,500 00
English-French Professional Training Schools.....	15,500 00

High

High Schools and Collegiate Institutes.....	\$53,850 00	
Departmental Museum.....	3,000 00	
Technical Education.....	5,000 00	
Provincial and other Universities.....	1,205,000 00	
The Ontario School for the Blind, Brantford.....	100 00	
Northern Academy, Monteith..	8,300 00	
Miscellaneous.....	61,000 00	
		<hr/> \$1,637,650 00

PUBLIC INSTITUTIONS.

To defray expenses of:

Ontario Hospital, Brockville...	\$70,000 00	
Ontario Hospital, Cobourg....	41,500 00	
Ontario Hospital, Hamilton....	40,000 00	
Ontario Hospital, Kingston....	50,000 00	
Ontario Hospital, London.....	25,000 00	
Ontario Hospital, Mimico.....	32,000 00	
Ontario Hospital, Orillia.....	50,000 00	
Ontario Hospital, Penetanguishene.....	37,000 00	
Ontario Hospital, Toronto....	145,000 00	
Ontario Hospital, Whitby.....	45,000 00	
Ontario Hospital, Woodstock..	48,000 00	
Ontario Reformatory, Guelph..	35,000 00	
Ontario Reformatory, Industries.....	8,000 00	
Mercer Reformatory, Toronto.	12,500 00	
Industrial Farm, Burwash....	35,000 00	
Industrial Farm, Fort William.	5,000 00	
Miscellaneous.....	4,800 00	
		<hr/> \$683,800 00

AGRICULTURE.

To defray expenses of a grant in aid of Agriculture.....	\$332,050 00
--	--------------

COLONIZATION AND IMMIGRATION.

To defray expenses of a grant in aid of Colonization and Immigration.....	\$6,416 93
---	------------

## HOSPITALS AND CHARITIES.

To defray expenses of a grant in aid of Hospitals and Charities .....	\$145,774 05
--	--------------

MAINTENANCE AND REPAIRS OF GOVERNMENT AND  
DEPARTMENTAL BUILDINGS.

To defray expenses of:

Parliament and Departmental Buildings.....	\$108,200 00
--	--------------

## PUBLIC BUILDINGS.

To defray expenses of:

Osgoode Hall .....	\$2,500 00
--------------------	------------

Public Institutions:

Ontario Hospital, Brockville...	1,000 00
Ontario Hospital, Kingston....	35,000 00
Ontario Hospital, Orillia.....	125,000 00
Ontario Hospital, Whitby.....	200,000 00
Ontario Hospital, Woodstock..	120,000 00
Ontario Reformatory, Guelph..	4,000 00
Industrial Farm, Fort William.	35,000 00

Educational:

Normal and Model Schools, Toronto.....	1,200 00
Normal and Model Schools, Ottawa.....	5,310 00
Normal School, London.....	1,980 00
Normal School, Hamilton.....	400 00
Normal School, Peterborough..	1,200 00
Normal School, Stratford.....	400 00
Normal School, North Bay....	900 00
Training Schools .....	2,800 00
The Ontario School for the Deaf, Belleville.....	3,250 00
The Ontario School for the Blind, Brantford.....	7,350 00
Northern Academy, Monteith..	2,500 00
Continuation School, New Lis- keard .....	3,400 00

## Agriculture:

Ontario Agricultural College...	\$76,000 00
Ontario Veterinary College....	500 00
Western Ontario Experimental Farm, Ridgetown.....	17,804 27
Eastern Ontario Dairy School..	500 00
Kemptville Agricultural School.	4,000 00

## Districts:

Algoma.....	43,190 00
Cochrane.....	96,100 00
Kenora.....	7,700 00
Manitoulin.....	16,000 00
Muskoka.....	600 00
Nipissing.....	28,200 00
Parry Sound.....	6,300 00
Rainy River.....	3,000 00
Sudbury.....	38,050 00
Temiskaming.....	153,350 00
Thunder Bay.....	288,300 00
Miscellaneous.....	11,000 00

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Total Public Buildings..... \$1,343,784 27

## PUBLIC WORKS.

To defray expenses of Public Works..... \$582,747 30

## DEPARTMENT OF LABOUR.

To defray expenses of Department of Labour. \$88,100 00

## DEPARTMENT OF PUBLIC HIGHWAYS.

To defray expenses of Department of Public  
Highways..... \$275 00

## GAME AND FISHERIES.

To defray expenses of Game and Fisheries.... \$52,201 15

## ATTORNEY-GENERAL'S DEPARTMENT—MISCELLANEOUS.

To defray expenses of Attorney-General's  
Department, Miscellaneous..... \$50,000 00

## TREASURY DEPARTMENT—MISCELLANEOUS.

To defray expenses of Treasury Department, Miscellaneous.....	\$50,400 00
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## PROVINCIAL SECRETARY'S DEPARTMENT—MISCELLANEOUS.

To defray expenses of Provincial Secretary's Department, Miscellaneous.....	\$500 00
--	----------

## LANDS AND FORESTS.

To defray expenses on account of Lands and Forests.....	\$103,334 23
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## MINES.

To defray expenses on account of Mines.....	\$64,973 45
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## REFUNDS.

To defray expenses on account of Refunds....	\$184,286 14
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## MISCELLANEOUS EXPENDITURE.

To defray Miscellaneous Expenditure.....	\$1,054,520 30
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## THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

To defray expenses on account of the Hydro- Electric Power Commission of Ontario.....	\$9,907,012 80
--	----------------

THE TEMISKAMING AND NORTHERN ONTARIO RAILWAY  
COMMISSION.

To defray expenses on account of the Temis- kaming and Northern Ontario Railway Commission.....	\$2,020,062 18
---	----------------

Total Estimates for Expenditure of 1923- 1924.....	\$18,602,674 08
---	-----------------

## SCHEDULE



## SCHEDULE "B".

Sums granted to His Majesty by this Act for the financial year ending on the thirty-first day of October, one thousand nine hundred and twenty-five, and the purposes for which they are granted:

## LIEUTENANT-GOVERNOR'S OFFICE.

To defray the expenses of the Lieutenant-Governor's Office.....	\$5,450 00
---	------------

## PRIME MINISTER'S DEPARTMENT.

To defray expenses of:	
Civil Government.....	\$36,875 00
Hydro-Electric Power Commission of Ontario.....	22,090,000 00
Bonuses to Rural Primary Lines	1,000,000 00
Temiskaming and Northern Ontario Railway Commission	1,000,000 00
	—————\$24,126,875 00

## LEGISLATION.

To defray the expenses of Legislation.....	\$322,200 00
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## ATTORNEY-GENERAL'S DEPARTMENT.

To defray expenses of Attorney-General's Department.....	\$2,056,315 00
--	----------------

## EDUCATION DEPARTMENT.

To defray expenses of:

Civil Government.....	\$84,750 00
Public and Separate School, Education.....	4,566,400 00
Toronto Normal and Model Schools.....	152,195 00
Ottawa Normal and Model Schools.....	96,750 00
London Normal School.....	52,050 00
Hamilton Normal School.....	42,820 00
Peterborough Normal School...	40,100 00

Stratford Normal School.....	\$39,500 00	
North Bay Normal School.....	109,200 00	
English-French Professional Training Schools.....	114,980 00	
High Schools and Collegiate Institutes.....	329,550 00	
Departmental Museum.....	13,300 00	
Public Libraries, Art Schools, etc.....	116,050 00	
Technical Education.....	857,150 00	
Superannuated Public and High School Teachers.....	55,150 00	
Provincial and other Univer- sities.....	199,535 00	
Belleville School for the Deaf..	138,470 00	
Brantford School for the Blind..	99,459 00	
Monteith Northern Academy..	88,440 00	
Miscellaneous.....	37,400 00	
	<hr/>	\$7,233,249 00

## LANDS AND FORESTS DEPARTMENT.

To defray expenses of Lands and Forests Department.....	\$3,017,675 00
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## MINES DEPARTMENT.

To defray expenses of Mines Department....	\$696,650 00
--	--------------

## PUBLIC WORKS DEPARTMENT.

To defray expenses of:

Civil Government.....	\$84,150 00	
Maintenance and Repairs of Government Buildings.....	688,496 35	
Public Works and Bridges.....	161,500 00	
Public Buildings.....	712,500 00	
	<hr/>	\$1,646,646 35

## HIGHWAYS DEPARTMENT.

To defray expenses of Highways Department..	\$424,725 00
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## HEALTH DEPARTMENT.

To defray expenses of Health Department....	\$632,675 00
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## LABOUR

## LABOUR DEPARTMENT.

To defray expenses of Labour Department . . . \$2,186,450 00

## PROVINCIAL TREASURER'S DEPARTMENT.

To defray expenses of Provincial Treasurer's  
Department . . . . . \$755,274 00

## PROVINCIAL AUDITOR'S OFFICE.

To defray expenses of Provincial Auditor's  
Office . . . . . \$61,325 00

## PROVINCIAL SECRETARY'S DEPARTMENT.

To defray expenses of:

Civil Government . . . . .	\$268,400 00	
Miscellaneous Services . . . . .	4,100 00	
Hospitals and Charities . . . . .	1,307,150 00	
Public Institutions . . . . .	3,992,816 00	
		\$5,572,466 00

## AGRICULTURE DEPARTMENT.

To defray expenses:

Civil Government . . . . .	\$126,925 00	
Agriculture . . . . .	1,990,485 00	
Colonization and Immigration . . . . .	198,300 00	
		\$2,315,710 00

## MISCELLANEOUS.

To defray Miscellaneous Expenditure . . . . . \$245,000 00

Total Estimates for Expenditure of 1924-1925. \$51,298,685 35

## CHAPTER 2.

An Act respecting certain Debentures of the  
Township of Whitney.*Assented to 17th April, 1924.*

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Township of Whitney Debentures Act, 1924.* Short title.

2. The interest on the amount secured by the debentures issued by the corporation of the township of Whitney under By-law No. 13 in the year 1912 and being each for the sum of \$1,471.65, purchased by the Lieutenant-Governor in Council on behalf of the Province under the authority of section 40 of *The Statute Law Amendment Act, 1912*, is remitted as to so much of said issue of debentures as remains unpaid, and payment of that part of the sum included in each of the said debentures now remaining unpaid which represents principal money shall be receivable in full satisfaction thereof. Interest on certain debentures remitted.

3. The principal moneys part of each of the debentures numbered 5 to 11 inclusive of the said issue and payable in the years 1917 to 1923 inclusive, shall be payable in the years 1933 to 1940 inclusive and payment shall not be required of the balance of each of the said debentures representing interest,—that is to say, one of the said debentures to the extent to which it represents an instalment of principal shall become due and payable in each of the years included in the last mentioned period but no interest shall be payable in respect of the said debentures or of the debt secured thereby or by reason of such postponement. Payment of certain debentures postponed.

4. Notwithstanding anything contained in section 2, if the corporation of the township of Whitney shall make default in payment of the debentures numbered 12 to 20 inclusive issued under the said by-law and falling due in the Conditional on certain payments being punctually made.

years

years 1924 to 1932 inclusive, all the debentures, payment of which is postponed by section 3, shall immediately become due and payable.

Commence-  
ment of  
Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 3.

An Act to authorize the Lieutenant-Governor  
in Council to Guarantee the Payment of  
Certain Debentures.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Debentures Guarantee Act, 1924.* Short title.

**2.** The Lieutenant-Governor in Council may authorize the Treasurer of Ontario to guarantee payment on behalf of the Province of Ontario of the debentures issued or to be issued under: Authority to guarantee certain debentures.

- (a) By-law No. 584 of the municipal corporation of the town of Haileybury providing for the borrowing of \$3,705.60 on the security of debentures of the municipal corporation of the town of Haileybury for the purpose of paying for the cost of construction of cement sidewalks; Town of Haileybury sidewalks.
- (b) By-law No. 587 of the municipal corporation of the town of Haileybury authorizing the issue of debentures to the amount of \$15,000 for the purpose of erecting a fire hall and providing equipment in the town of Haileybury; Town of Haileybury fire hall.
- (c) By-law No. 588 of the municipal corporation of the town of Haileybury authorizing the issue of debentures to the amount of \$20,000 for the purpose of replacing the pumping station and equipment destroyed by fire in the town of Haileybury; Town of Haileybury pumping station.
- (d) By-law No. 601 of the municipal corporation of the town of Haileybury authorizing the issue of debentures to the amount of \$5,000 for the purpose of purchasing a motor fire engine and truck for the town of Haileybury; Town of Haileybury fire engine and truck.

(e)

Town of  
Haileybury  
cement side-  
walks

- (e) By-law No. 603 of the municipal corporation of the town of Haileybury providing for borrowing, \$16,217.55 upon debentures to pay for the construction of cement sidewalks on the following streets:

On the west side of Georgina Avenue from Browning Street to Elliott Street,

On the north side of Russell Street from Ferguson Avenue to Rorke Avenue,

On the south side of Russell Street from Ferguson Avenue to Georgina Avenue,

On the south side of Blackwall Street from Ferguson Avenue to Rorke Avenue,

On the south side of Marcella Street from Georgina Avenue to Rorke Avenue,

On the north side of Marcella Street from Meridian Avenue to Lake Shore Road,

On the north side of Browning Street from the westerly limit of Lot 5, Plan M-37 to the easterly limit of the T. & N. O. Railway right-of-way,

On the south side of Probyn Street from Lake Shore Road to Georgina Avenue,

On the north side of Probyn Street from Lake Shore Road to Brewster Street in the town of Haileybury;

Town of  
Haileybury  
water mains.

- (f) By-law No. 604 of the municipal corporation of the town of Haileybury providing for the borrowing of \$2,352.61 to defray the cost of certain water main extensions in the town of Haileybury;

Town of  
Haileybury  
sanitary  
sewer.

- (g) By-law No. 605 of the municipal corporation of the town of Haileybury providing for borrowing \$1,724.26 upon debentures to pay for the construction of a sanitary sewer on Main Street from the west limit of Lot 4 to the east limit of Lot 10, Blocks L. and P. M-13, and on Marcella Street from Rorke Avenue to the east limit of Lot 20, Block T, Plan M-13 in the town of Haileybury;



- (h) By-law No. 297 of the municipal corporation of the Town of Cochrane authorizing the borrowing of \$110,000 upon debentures to pay for extensions, sewerage and waterworks improvements and alterations to and in the sewerage and waterworks systems of the town of Cochrane; Town of Cochrane extensions to sewerage and waterworks systems.
- (i) By-law No. . . . of the municipal corporation of the Town of Cochrane authorizing the borrowing of \$40,000 to complete the improvements and extensions to the waterworks and sewerage systems of the town of Cochrane, undertaken and incorporated in By-law No. 297; Town of Cochrane extension of waterworks systems.
- (j) Under by-laws of the municipal corporation of the Town of Kapuskasing pursuant to chapter 36 of the Acts passed in the year 1921, by the municipal corporation of the town of Kapuskasing to the extent of not more than \$100,000 for waterworks, sewerage, local improvements or other municipal works; Town of Kapuskasing local improvements.
- (k) By-laws Nos. 243, 244, 263 and 264 of the municipal corporation of the town of Timmins authorizing the extension of waterworks system and the construction of sewers to the extent of not more than \$200,000; Town of Timmins extension of waterworks system.
- (l) By-law No. 190 of the town of Englehart authorizing the issue of debentures to the amount of \$15,000 for extensions to the waterworks and sewer system of the town. Town of Englehart extension of waterworks system.

**3.** The form of guarantee and manner of its execution shall be determined by the Lieutenant-Governor in Council. Form of guarantee.

**4.** Any debenture, payment of which is guaranteed on behalf of the Province of Ontario pursuant to the provisions of this Act, shall be valid and binding upon the municipal corporation by which it is issued and the ratepayers thereof according to its terms and the validity of any debenture guaranteed as aforesaid shall not be open to question on any ground whatever. Validity of debentures.

**5.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 4.

## An Act to amend the Election Laws.

*Assented to 17th April, 1924.*

**HIS** MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Election Laws Amendment Act, 1924.*

1922, c. 4,  
s. 10, subs. 1,  
amended.      **2.**—(1) Subsection 1 of section 10 of *The Ontario Voters' Lists Act, 1922*, is amended by adding at the end thereof the following clause:—

(g) The clerk of the council of the county in which the municipality is situate.

Commence-  
ment of  
section.      (2) This section shall come into force on the 1st day of May, 1924.

1919 c. 7,  
s. 14, subs.  
2, amended.      **3.**—(1) Subsection 2 of section 14 of *The Ontario Election Act, 1919*, is amended by striking out the word "five" in the third line and inserting in lieu thereof the word "nine," so that the subsection will now read as follows:—

When polls  
to be open.      (2) For the purpose of enabling such railway employees to vote, polls shall be held and kept open from nine o'clock in the forenoon until nine o'clock in the afternoon for the three days, exclusive of Sunday, immediately preceding the day fixed by proclamation for holding the poll at the election or voting upon the question.

Commence-  
ment of  
section.      (2) This section shall come into force on the day upon which this Act receives the Royal Assent.

## CHAPTER 5.

## An Act to amend The Legislative Assembly Act.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Legislative Assembly Act, 1924.* Short title.

2. Subsection 3 of section 75 of *The Legislative Assembly Act* as re-enacted by section 2 of *The Legislative Assembly Amendment Act, 1920*, is amended by striking out the word "fifteen" in the third line and inserting in lieu thereof the word "ten." Rev. Stat. c. 11, s. 75, subs. 3 (1920, c. 3, s. 2) amended.

3. This Act shall come into force on the day upon which it receives the Royal Assent and shall have effect as from the 1st day of January, 1924. Commencement of Act.

## CHAPTER 6.

An Act to provide for a Legislative Secretary  
for Northern Ontario.*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**Short title.**      **1.** This Act may be cited as *The Legislative Secretary for Northern Ontario Act, 1924.*

**Legislative Secretary for Northern Ontario, appointment of.**      **2.** The Lieutenant-Governor in Council may appoint from among the members of the Assembly representing the electoral districts in the provisional judicial districts a Legislative Secretary for Northern Ontario, whose duty it shall be to furnish information to the Legislature as to the requirements and resources of the said districts and to assist the members of the Executive Council in the Assembly, and more particularly the Minister of Lands and Forests and the Minister of Mines, and who shall perform such other duties as the Lieutenant-Governor in Council may from time to time impose.

**Term of office and salary.**      **3.** The said Legislative Secretary shall hold office during the pleasure of the Lieutenant-Governor and shall be paid a salary of \$6,000 per annum, which shall be chargeable upon and payable out of the Consolidated Revenue Fund.

**Not to be disqualified from sitting in Assembly.**      **4.—(1)** The said Legislative Secretary shall not by reason of his appointment to the said office or the receipt of the salary attached thereto vacate his seat in the Assembly or be rendered ineligible as a member thereof, or be disqualified to sit and vote therein, anything in *The Legislative Assembly Act* to the contrary notwithstanding.

**Rev. Stat. c. 11.**

**Rev. Stat. c. 11, s. 10, subs. 2 (1914, c. 7, s. 1) amended**

**(2)** Subsection 2 of section 10 of *The Legislative Assembly Act*, as enacted by section 1 of the Act passed in the year 1914, Chapter 7, is amended by adding thereto the following clause:

**(aa)** A Legislative Secretary for Northern Ontario.

**Commencement of Act.**      **5.** This Act shall come into force on the day upon which it receives the Royal Assent and shall have effect as from the 16th day of July, 1923.

## CHAPTER 7.

An Act to amend The Ontario Public Service  
Superannuation Act.*Assented to 17th April, 1924\**

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Ontario Public Service Superannuation Act, 1924.* Short title.

**2.**—(1) The clause lettered *b* in section 5 of *The Ontario Public Service Superannuation Act, 1920*, is amended by inserting after the words “owing to ill-health or physical incapacity” added to the said clause by section 3 of *The Ontario Public Service Superannuation Act, 1922*, the words “or who having so served at least twenty-five years is retired from the public service for any cause other than misconduct or improper behaviour on his part”, so that the said clause will now read as follows:— 1920, c. 4, s. 5, cl. b, amended. Superannuation on retirement by Crown.

(b) Every employee who, having served at least ten years continuously in the public service, is retired therefrom on account of ill-health or physical incapacity, or who having so served at least twenty-five years is retired from the public service for any cause other than misconduct or improper behaviour on his part and who is declared by the Lieutenant-Governor in Council upon the report of the Civil Service Commissioner to be entitled to superannuation.

(i) The Board shall have power to review from time to time the case of an employee who is superannuated on account of ill-health or physical incapacity and, where such employee recovers, the Board shall report his case to the Government who may offer him further employment.

(ii)

- (ii) Where an employee who has been superannuated on account of ill-health or physical incapacity upon recovery is offered re-employment by the Government, but does not accept such re-employment, the Board may, on the approval of the Lieutenant-Governor in Council, discontinue the superannuation allowance granted to such employee.
- (iii) Where an employee who has been superannuated on account of ill-health or physical incapacity is re-employed by the Government, his superannuation allowance shall be suspended during the time of his re-employment, and the period of such further employment shall be counted in determining the superannuation allowance to which he is entitled at his final retirement.

Amendment  
to be re-  
troactive.

(2) The amendment made by subsection 1 shall have effect as from the 1st day of July, 1923.

1920, c. 4,  
s. 7  
amended.

3. Section 7 of *The Ontario Public Service Superannuation Act, 1920*, is amended by striking out the words "one year's salary at the rate of the average yearly salary of such employee during the last three years of his service" in the sixth, seventh and eighth lines, and inserting in lieu thereof the words "the amount of the annual allowance to which the employee would have been entitled had he been superannuated at the date of his death" so that the section will now read as follows:

Death of  
employee—  
when allow-  
ance pay-  
able to  
widow and  
children.

7. Where an employee who would have been entitled upon his retirement to the superannuation allowance, dies after having served for at least ten years continuously in the public service there shall be granted to his personal representatives or to a member of his family, a lump sum not exceeding the amount of the annual allowance to which the employee would have been entitled had he been superannuated at the date of his death or a lump sum not exceeding the contributions made by him under this Act during his lifetime with interest at five per centum per annum compounded yearly whichever may be the greater;

- (a) Or, in case such employee dies leaving a widow or infant children under the age of eighteen years, one-half of the superannuation allowance to which such employee would have been

entitled

entitled had he been superannuated at the date of his death shall be paid to the widow for her life or during her widowhood, but if the wife of such employee dies before him, or where having survived him, she dies or marries again, leaving infant children by him, such half superannuation allowance shall be paid to those children of such employee, if any, who shall not have attained the age of eighteen years, and until they do attain such age.

4.—(1) Subsection 1 of section 13 of *The Ontario Public Service Superannuation Act, 1922*, is amended by inserting <sup>1922, c. 5, s. 13, subs. 1, amended.</sup> after the word "county" in the third line the word "city" so that the subsection will now read as follows:

- (1) *The Ontario Public Service Superannuation Act, 1920*, <sup>Sheriff to be deemed employee.</sup> shall extend and apply to any person holding the office of sheriff of a county, city or district in Ontario whether such sheriff is paid by fees or salary, or partly by fees and partly by salary, and a sheriff shall be deemed to be an "employee" within the meaning of this Act, but any amount payable on account of superannuation allowances under this section granted to sheriffs who have, at the time of the commencement of this Act, attained the age of seventy years, or who shall attain the age of seventy years before the 1st day of November, 1930, shall be added to the contribution of the Government to the Ontario Public Service Superannuation Fund and shall be chargeable to the Consolidated Revenue Fund.

(2) The amendment made by subsection 1 shall have <sup>Amendment to be retro-active.</sup> effect as from the 13th day of June, 1922.

5. Section 18 of *The Ontario Public Service Superannuation Act, 1920*, is repealed and the following substituted therefor: <sup>1920, c. 4, s. 18, repealed.</sup>

18. Where an employee who is granted a superannuation allowance under this Act dies before having received an amount equal to one year's allowance, there shall be paid to the personal representatives of such person, or to a member of his family, as the Board may direct, a sum equal to the remainder of such annual allowance, or a lump sum not exceeding the difference between the total contributions made by him under this Act during his lifetime with interest at five per centum per annum compounded yearly, and the amount paid to him in his lifetime on account of <sup>Death of super-annuated employee before receiving one year's allowance.</sup>

such



such annual allowance, whichever may be the greater, or where such employee dies leaving a widow, or child under the age of eighteen years, one-half of the superannuation allowance to which the deceased was entitled shall be continued to the widow of such employee for her life or during her widowhood, but if such employee is a widower or if his wife having survived him, remarries, such one-half superannuation allowance shall be paid to the children of such employee, if any, who have not attained the age of eighteen years and until they have attained that age.

- (a) Nothing in this section shall apply to a widow under fifty years of age, of an employee to whom she was married after he reached the age of sixty years.

1920, c. 4,  
s. 23;  
1921, c. 3,  
s. 2,  
repealed.

6. Section 23 of *The Ontario Public Service Superannuation Act, 1920*, and section 23a of the said Act as enacted by section 2 of *The Ontario Public Service Superannuation Act, 1921*, are repealed and the following substituted therefor:

Administra-  
tion of Act.

23.—(1) This Act shall be administered by a Board to be known as the Public Service Superannuation Board, which shall consist of three members, to be appointed by the Lieutenant-Governor in Council; one of the members so appointed shall be a representative of and employed in the Ontario Civil Service.

Commence-  
ment of  
section.

(2) This section shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

1920, c. 4,  
s. 31  
amended.

7. Section 31 of *The Ontario Public Service Superannuation Act, 1920*, is amended by striking out the words "in receipt of" in the first line and inserting in lieu thereof the words "entitled to" and by adding thereto the following clause:

- (c) An employee who is a contributor to the Ontario Teachers' and Inspectors' Superannuation Fund may upon his retirement as a teacher or inspector and his appointment to another permanent position in the Public Service become a contributor to the Public Service Superannuation Fund and be entitled to the benefits under this Act, credit for service dating, at the option of the employee, from either the time of his first entering the service or from the time of his appointment subsequent to his retirement as teacher or inspector, provided such service has been continuous.

so that the section will now read as follows:

31. An employee who is entitled to benefits from any other superannuation Act or fund to which the Government contributes shall not be eligible for benefits under this Act, Employees on other funds not to benefit.

But

- (a) An employee who at the time of the commencement of this Act is in receipt of benefits from any fund for superannuated teachers shall be entitled upon his retirement to receive from the Fund any sum provided by this Act less the amount of any pension payable to him as a superannuated teacher, and
- (b) An employee who is at the time of the passing of this Act a contributor to any such fund for superannuated teachers shall make his election in writing before the 1st day of July, 1920, as to whether he will remain a contributor to such fund or will become a contributor to and entitled to share in the benefits of the Fund established under this Act, and if he elects to become a contributor to the Fund established under this Act he shall cease to be a contributor to or to be entitled to the benefit of any such fund for superannuated teachers, and shall become subject to the provisions of this Act, and
- (c) An employee who is a contributor to the Ontario Teachers' and Inspectors' Superannuation Fund may upon his retirement as a teacher or inspector and his appointment to another permanent position in the Public Service become a contributor to the Public Service Superannuation Fund and be entitled to the benefits under this Act, credit for service dating, at the option of the employee, from either the time of his first entering the service or from the time of his appointment subsequent to his retirement as teacher or inspector, provided such service has been continuous.

8. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 8.

## An Act to amend The Public Officers Fees Act.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Public Officers Fees Amendment Act, 1924.*

Rev. Stat.  
c. 17, s. 2,  
repealed.

**2.** Section 2 of *The Public Officers Fees Act* is repealed and the following is substituted therefor:

Interpre-  
tation of  
"net in-  
come."

**2.** In this Act, "net income" shall mean the excess of all fees and emoluments earned during the calendar year by an officer, by virtue of all his offices after deducting the disbursements incident to the business of the office or offices held by him.

Rev. Stat.  
c. 17, s. 8,  
subs. 1,  
repealed.

**3.** Subsection 1 of section 8 of *The Public Officers Fees Act* as amended by section 4 of *The Public Officers Fees Amendment Act, 1922*, is repealed and the following substituted therefor:

Returns to  
be made to  
Provincial  
Treasurer.

(1) On or before the 15th day of January in each year every officer affected by this Act shall transmit to the inspector a return, under oath, of all his fees and emoluments, including his salary, if any, whether received in cash or not, and also the disbursements incident to the business of the office or offices held by him up to and including the 31st day of December in the next preceding year, and shall with such return transmit by cheque payable to the Treasurer of Ontario, the percentage payable to the Government under this Act calculated upon the fees and emoluments earned by him during the next preceding year.

Commence-  
ment of Act.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent, and shall have effect as from the 1st day of January, 1924.

## CHAPTER 9.

## An Act for raising Money on the Credit of the Consolidated Revenue Fund.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Ontario Loan Act, 1924.* Short title.
2. The Lieutenant-Governor in Council is hereby authorized to raise by way of loan a sum of money not exceeding Loan of \$40,000,000 authorized. forty million dollars (\$40,000,000) for all or any of the purposes following, that is to say: For the public service, for works carried on by commissioners on behalf of Ontario, for the covering of any debt of Ontario on open account, for paying any floating indebtedness of Ontario, for the carrying on of the public works authorized by the Legislature and for redeeming in whole or in part the outstanding debentures of the Province of Ontario that have been issued free of succession duty.
3. The aforesaid sum of money may be borrowed for any term or terms not exceeding forty years, at such rate as may be fixed by the Lieutenant-Governor in Council and shall be raised upon the credit of the Consolidated Revenue Fund of Ontario, and shall be chargeable thereupon. Terms to be fixed by Lieutenant-Governor.
4. The Lieutenant-Governor in Council may provide for a special sinking fund with respect to the issue herein authorized, and such sinking fund may be at a greater rate than the one-half of one per centum per annum specified in subsection 2 of section 4 of *The Provincial Loans Act.* Sinking fund. Rev. Stat. c. 21.
5. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 10.

An Act to amend The Mining  
Tax Act.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Mining Tax Act, 1924*.

Rev. Stat.  
c. 26, s. 5,  
repealed.      **2.** Section 5 of *The Mining Tax Act* as amended by sections 2, 3 and 4 of *The Mining Tax Act, 1917*, and by section 3 of *The Mining Tax Amendment Act, 1921*, is repealed, and the following substituted therefor:—

Tax on  
profits.      5.—(1) Every mine in Ontario, the annual profits of which exceed \$10,000 shall be liable for and the owner, manager, holder, tenant, lessee, occupier, and operator of the same shall pay an annual tax as follows:—

(a) Three per centum on the excess of annual profits of such mine above \$10,000 and up to \$1,000,000;

(b) Five per centum on the excess above \$1,000,000 and up to \$5,000,000; six per centum on the excess above \$5,000,000 and up to \$10,000,000; seven per centum on the excess above \$10,000,000 and up to \$15,000,000, and on the annual profits above \$15,000,000 a percentage or percentages increasing in like progression.

Mines  
worked  
together.      (2) For the purpose of this section all mines and mineral workings in Ontario occupied, worked or operated by the same person, or under the same general management or control, or the profits of which accrue to the same person, shall, for the purpose

of determining whether there is liability to taxation hereunder, be deemed to be and be dealt with as one and the same mine, and not as separate mines.

- (3) The annual profits shall be ascertained and fixed in the following manner, that is to say: The gross receipts from the year's output of the mine, or in case the ore, mineral or mineral-bearing substance or any part thereof is not sold, but is treated by or for the owner, tenant, holder, lessee, occupier, or operator of the mine upon the premises or elsewhere, then the actual market value of the output, at the pit's mouth, or if there is no means of ascertaining the market value, or if there is no established market price or value, the value of the same as appraised by the Mine Assessor, shall be ascertained, and from the amount so ascertained, the following, and no other, expenses, payments, allowances or deductions, shall be deducted and made, that is to say:

- (a) The actual cost of transportation of any output sold if paid or borne by the owner, tenant, holder, lessee, occupier, or operator;
- (b) The actual and proper working expenses of the mine, both underground and above ground, including salaries and wages of necessary superintendents, captains, foremen, workmen, firemen, enginemen, labourers, and employees of all sorts employed at or about the mine, together with the actual and proper salaries and office expenses for necessary office work done at the mine, and in immediate connection with the operation thereof;
- (c) The cost of supplying power and light, and of hire of horses used in the mining operation or in handling the ore or mineral;
- (d) The actual cost price of food and provisions for all employees aforesaid, whose salaries or wages are made less by reason of being furnished therewith, and of fodder for horses used as above mentioned;
- (e) The actual cost price of explosives, fuel, and any other supplies necessarily consumed in the mining operations;

(f)

- (f) Any actual and proper outlay incurred in safeguarding or protecting the mine or mineral product;
- (g) The cost of proper insurance upon the output if paid or borne by the owner, tenant, holder, lessee, occupier or occupant and upon the mining plant, machinery, equipment, and buildings used for or in connection with the actual mining operations, or for storing the ore or mineral;
- (h) An allowance of a sum for annual depreciation, by ordinary wear and tear, of the said plant, machinery, equipment, and buildings, such sum to be based upon the probable annual average cost of repairs and renewals necessary to maintain the same in a condition of efficiency, and in no case to exceed for any year fifteen per centum of the value at the commencement of such year, such value to be appraised by the Mine Assessor;
- (i) The cost of actual work done in sinking new shafts, making new openings, workings, or excavations of any kind, or of stripping or trenching, in or upon the lands upon which the mine is situated, or upon any other lands belonging to the same owner, lessee, holder, tenant, occupier, or operator in Ontario, such work having for its object the opening up or testing for ore or mineral,—Provided, however, that such expenditure is *bona fide*, and actually made or borne by the person or persons liable, or who would but for this provision be liable to taxation upon the said mine under this Act, and that separate accounts of such expenditure are kept and an affidavit or affidavits giving reasonable details of the nature, extent, and location of such work shall be furnished to the Department of Mines with the annual statement hereinafter provided for;
- (j) All taxes payable or profits taken under any Act of the Parliament of Great Britain and Ireland (in so far as the same are referable to operations carried on in Great Britain or Ireland) or of the Parliament of the Dominion of Canada, upon or from the profits of the



mine or mining work or upon or from the profits made in smelting, refining or otherwise treating any of the products of the mine or mineral work.

- (4) No allowance or deduction shall in any case be made <sup>Capital not deducted.</sup> for cost of plant, machinery, equipment, or buildings, nor for capital invested, nor for interest or dividend upon capital, or stock or investment, nor for depreciation in the value of the mine, mining land, or mining property by reason of exhaustion or partial exhaustion of the ore or mineral, but this shall not restrict the generality of anything hereinbefore in this section contained.

- (5) For the purpose of this section, unless a contrary <sup>Based on preceding year.</sup> intention appears, the operations, business, matters, and things carried on, occurring, or existing during the preceding year shall be taken as the basis of fixing, assessing, and ascertaining the taxation hereunder, but the tax payable shall nevertheless be deemed to be a tax for the calendar year in which it is payable.

**3.** This Act shall come into force on the day upon which it <sup>Commence-ment of Act.</sup> receives the Royal Assent.

## CHAPTER 11.

## An Act to amend The Corporations Tax Act.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Corporations Tax Act, 1924.*

1914, c. 11,  
s. 4, subs.  
17, cl. b  
(1920, c. 9,  
s. 6)  
amended.      **2.** The clause lettered *b* in subsection 17 of section 4 of *The Corporations Tax Act*, as enacted by section 6 of *The Corporations Tax Act, 1920*, is amended by adding at the end thereof the following subclause:

Access  
to Race-  
course.  
  
1922, c. 12      (i) Such officers or clerks of the Treasury Department as may be appointed by the Treasurer of Ontario for the purpose of ascertaining the amount wagered in connection with the tax imposed by subsection 16*a* of section 4 of this Act, as enacted by subsection 2 of section 3 of *The Corporations Tax Act, 1922*, shall have access free of all charge at all times to all parts of any race course including the pari-mutuel plant connected therewith during the progress of a race meeting.

## CHAPTER 12.

An Act to amend The Land Transfers Tax  
Act, 1921.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Land Transfers Tax Act*, Short title.  
1924.

**2.** *The Land Transfers Tax Act, 1921*, is amended by adding <sup>1921, c. 13,  
amended.</sup> thereto the following section:—

9a. Any person authorized for a like purpose under *The Land Titles Act* or under *The Registry Act* may administer an oath for any of the purposes of this Act. <sup>Administra-  
tion of oaths.</sup>

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. <sup>Commence-  
ment of  
Act.</sup>

## CHAPTER 13.

An Act respecting the Taxation of Land in  
Unorganized Territory.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.     **1.** This Act may be cited as *The Provincial Land Tax Act, 1924.*

Interpreta-  
tion.           **2.** In this Act,—

“Collector.”     (a) “Collector” shall mean Land Tax Collector appointed under this Act;

“Land.”         (b) “Land” shall include the interest in land of a tenant or occupant, and the interest of the holder of any license, concession or contract under which there has been acquired from the Crown any right to be exercised in respect of, or over, or upon land and all buildings, improvements, sub-structures, super-structures and fixtures of an owner in or on land; but “land” shall not include,—

(i) the interest of a timber licensee in a license issued under *The Crown Timber Act* nor any right in timber cut or to be cut by the holder of such a license, nor buildings, plant, machinery or appliances whether situate on land included in a timber license, or in any other territory without municipal or school organization and erected or used for or in connection with the sawing or planing or otherwise manufacturing into boards, deals, joists, lath, shingles or other sawn lumber or into staves or veneer of the timber cut under such license;

(ii) a mining claim or mining land or mining rights acquired under *The Mining Act of Ontario* or

any

any other Act for which that Act is substituted, nor any right, title or interest in any such mining claim, mining land or mining rights or in any building, works, machinery, improvement or structures therein or thereon or appurtenant thereto or connected therewith;

(iii) any fixed machinery which under the paragraph numbered 17 in section 5 of *The Assessment Act* would be exempt from taxation in an organized municipality;

(iv) a power house or a dam or other work for the storage of water or for the conveyance of water to the power house or any works, machinery, plant or appliances erected, constructed or used for the development of water power; nor

(v) the land, property or works of any person or corporation in respect of which such person or corporation is liable to taxation under *The Corporations Tax Act*;

(c) "Minister" shall mean Minister of Lands and "Minister," Forests;

(d) "Owner" shall include a tenant or occupant and any "Owner," person owning or enjoying an interest in land and the holder of any license, concession or contract under which there has been acquired from the Crown any right to be exercised in respect of, or over, or upon land;

(e) "Prescribed" shall mean prescribed by regulations "Pre-scribed," made under this Act.

3. Taxes shall not be payable under this Act in respect to land situate in any organized municipality nor to land in territory without municipal organization upon or in respect of which school taxes are payable. When Act not to apply.

4. There shall be payable by the owner in respect of any lands to which this Act applies an annual tax not exceeding two per centum upon the value of the land or the taxable interest therein or upon such proportion of the value of such land or interest as the Lieutenant-Governor in Council may determine to be imposed and collected as hereinafter provided, but such tax shall not be payable in respect of any of the lands, rights or property mentioned in subclauses i to v inclusive, of clause b in section 2 nor in respect of lands the Annual tax.

owners of which are declared by the Lieutenant-Governor in Council to be exempt from such tax as being *bona fide* settlers engaged in bringing the land under cultivation or otherwise developing the agricultural resources thereof.

Tax rate,  
notice of.

5. The Lieutenant-Governor in Council shall fix the rate to be imposed in each year and notice of such rate shall be given in the *Ontario Gazette* on or before the 1st day of July in each year.

Land tax  
Collector,  
appointment  
of.

6. The Lieutenant-Governor in Council may appoint an officer to be known as the Land Tax Collector, and may appoint such other officers, clerks and servants as may be deemed necessary for the administration of this Act.

Statement  
to be filed by  
owner.

7.—(1) Every owner of land in respect of which taxes are payable under this Act shall on or before the 1st day of September in every year transmit to the Collector a statement in the prescribed form setting out the land of which he is owner and the value which he places upon his interest therein including the value of any improvements, buildings, fencing, clearing, works and structures of every kind upon the land and the nature and extent of his interest in the land, and the owner shall verify the return on oath and shall sign the same and append thereto an address to which notices may be mailed by the Collector under this Act.

Forms.

(2) Printed forms of return shall be supplied by the Minister upon request of the owner.

Returns,  
verification  
of by  
Collector.

8.—(1) The Collector shall check and verify the returns received by him from owners and shall not be bound to accept any such return as determining the value of any land or improvements or works for the purpose of fixing the amount of taxes payable under this Act.

Valuation  
of land.

(2) The value to be put upon any land for the purposes of this Act shall be the price which it might reasonably be expected to bring if offered for sale in the open market by a solvent owner.

Valuation  
of improve-  
ments.

(3) Where any industry, including manufacturing of pulp, lumbering, saw mills, fisheries or other operations are carried on, the land and improvements shall be valued as the property of a going concern.

Register to  
be kept by  
Collector.

9. The Collector shall keep in his office a register in the prescribed form in which shall be entered the name of every owner making a return under this Act with such other particulars as may be prescribed.

**10.**—(1) The Collector on or before the 1st day of November in each year shall by registered post notify every owner of land to which this Act applies of the value of the land or interest therein upon which such owner is to be taxed and the total amount payable by such owner, and such notice shall be in the prescribed form and shall include a statement of a time not less than thirty days after the mailing of such notice and the place at which the judge of the county or district court shall sit for the tax division for the purpose of hearing complaints or disputes with regard to the value of the land in respect of which the owner is taxable or the amount of the tax to be imposed. <sup>Assessment notice.</sup>

(2) Every owner desiring to make complaint as to his assessment or the amount to be payable by him, shall forward to the Collector at least fifteen days before the date so named for the sitting of the judge, a notice of complaint in the prescribed form. <sup>Notice of complaint.</sup>

**11.** Where complaints are filed with the Collector within the time hereinbefore limited, the judge shall attend at the time and place arranged by the Collector for the hearing of such complaints, and if no complaints are received at least fifteen days before the sittings are to be held at any place the sittings may be cancelled and the assessment and the amount fixed as collectable from the owner in that tax division shall be final and binding and shall not be open to question or dispute in any action or proceeding or otherwise. <sup>Hearing complaints.</sup>

**12.** The judge upon the hearing of any complaints under this Act shall have the like powers as nearly as may be as in the case of a judge sitting for the hearing of appeals from the Court of Revision under *The Assessment Act* and the procedure for the hearing of complaints under this Act shall be, as nearly as may be, the same as the procedure under *The Assessment Act*. <sup>Powers of judge. Rev. Stat. c. 195.</sup>

**13.** The Collector or his agent shall attend at every sittings of the judge and shall have with him at the sittings a roll in the prescribed form containing the names of the owners of land liable to assessment and taxation in the tax division for which the sittings are held, and he shall correct, alter and amend the roll in accordance with the directions of the judge. <sup>Collector to attend at sittings of judge.</sup>

**14.** The taxes imposed by this Act shall be due and payable on or before the 1st day of February in the year following that in which the assessment was made and shall be the taxes for and in respect of the calendar year in which they are payable and shall be apportionable accordingly. <sup>Taxes, when payable.</sup>

Penalty for non-payment.

**15.** Where default is made in the payment of any tax under this Act a penalty of five per centum shall be added and any taxes not paid before the 1st day of March in the year for which the same are payable shall bear interest at the rate of ten per centum per annum until paid.

Unpaid taxes to be charge on land.

**16.** The taxes imposed by this Act shall be a first lien and charge upon the lands or interest of the owner and in addition thereto the owner shall be personally liable therefor as for a debt due to the Crown to be collected by the Collector, suing in his name of office, in any court of competent jurisdiction.

Collection by distress.

**17.** In addition to the collection of arrears of taxes by action as hereinbefore provided, the Collector may distrain for the same and shall have the like powers in that regard as a collector of taxes for a municipal corporation.

Forfeiture on non-payment of tax.

**18.**—(1) Where taxes are imposed on land or any interest therein under this Act and the same remain unpaid for a period of two years, the Minister by his certificate in writing under his hand, may declare the lands, or the interest therein of the owner liable therefor forfeited to the Crown and upon publication of such certificate in the *Ontario Gazette* all right, title, interest, claim or demand of such owner in or to the lands shall cease and determine and the lands or the interest of the owner therein shall be vested in His Majesty for the use of the Province of Ontario and after the expiration of one year from such publication may be re-granted, sold, leased or otherwise disposed of in the same manner as Crown lands or any interest therein may be dealt with under the laws of Ontario.

Forfeiture to be annulled on payment of taxes within one year.

(2) Where an owner or his representative within one year from the date of such publication pays or tenders to the Minister the amount of all taxes due with respect to any land so declared forfeited together with any penalties and interest and costs payable in respect thereof in accordance with this Act and the regulations, the Minister shall issue his certificate in writing signed by him and under his seal of office declaring such forfeiture cancelled and upon the registration of such certificate in the proper registry or land titles office such forfeiture shall be annulled and the land shall be re-vested in such owner or his representative according to the tenor of such certificate.

Right of mortgagee with respect to taxes.

**19.** A mortgagee, lien-holder or other person being the holder of a mortgage or charge upon any land in respect of which the taxes imposed by this Act are or may be payable, shall have and possess the same rights and remedies with respect to such taxes and the liability of the owner for the



payment thereof as such mortgagee, lien-holder or holder of a charge would have with regard to municipal taxes payable in respect to land in an organized municipality.

**20.** Every owner who refuses or neglects to make the return required by this Act within the prescribed period shall be guilty of an offence and shall incur a penalty of not less than \$5 nor more than \$50 for every day in which he is in default in making such return. Penalties; not making returns.

**21.** Every owner who knowingly and wilfully makes a false return of any property liable for taxation under this Act shall be guilty of an offence and shall incur a penalty of not more than \$500 and in default may be imprisoned for a period not exceeding six months. Making false returns.

**22.** *The Ontario Summary Convictions Act* shall apply to prosecutions for offences under this Act. Application of Rev. Stat. c. 90.

**23.** The Lieutenant-Governor in Council may make regulations,— Regulations.

(a) prescribing the form of return to be made by owners of land under this Act;

(b) prescribing the duties of the officers appointed for the administration of this Act and the collection of the taxes thereby imposed and the security to be given by such officers for the due performance of their duties and the due collection of and accounting for taxes received under this Act;

(c) dividing the Province or any part thereof into "tax divisions" for the purposes of this Act;

(d) generally for the better carrying out of the provisions of this Act.

**24.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation. Commencement of Act.

## CHAPTER 14.

## An Act to amend The Northern and Northwestern Ontario Development Act, 1912.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Northern and Northwestern Ontario Development Act, 1924.*

1912, c. 2,  
amended.

**2.** *The Northern and Northwestern Ontario Development Act, 1912*, is amended by adding thereto the following sections:

Interpre-  
tation.

**12.** In this Act,—

"Minister."

(a) "Minister" shall mean the member of the Executive Council charged for the time being with the administration of this Act;

"Road."

(b) "Road" shall mean a common and public highway and shall include a street and a bridge forming part of a highway, or on or over which a highway passes.

Power to  
take lands  
for road  
purposes.

**13.—(1)** The Minister may, for and in the name of His Majesty, purchase or acquire, and, subject as hereinafter mentioned, may himself or by his engineers, superintendents, agents, workmen or servants, for any purpose relative to the use, construction, maintenance or repair of a road, without the consent of the owner thereof enter upon, survey, take and expropriate any land which the Minister may deem necessary for the use, construction, maintenance or repair of a road, or for procuring stone, gravel, timber, or other material for use in making, maintaining or repairing a road, and for the purposes of the powers conferred by this section the Minister shall have and may exercise the like powers and

shall

shall proceed in the manner provided by *The Ontario Public Works Act* where the Minister of Public Works enters upon or takes land or property for the use of Ontario, and the provisions of that Act shall apply, *mutatis mutandis*. Rev. Stat. c. 35.

- (2) Upon land purchased, expropriated or otherwise acquired under subsection 1 hereof the Minister by himself, or by his engineers, superintendents, agents, workmen, or servants may lay out, construct, maintain or repair such road or roads as shall by said Minister be deemed necessary or expedient. Construction of roads on lands acquired.

- 14.—(1) Where in any municipality a road or roads are acquired, opened, constructed, maintained or repaired under the provisions of this Act the Minister may determine and order that the corporation of such municipality shall pay a proportion of the cost of the construction, maintenance or repair of any such road or roads, and may order and direct the proportion to be paid or borne by such municipality, and such order of the Minister shall not be subject to appeal or be open to review except by the Minister. Contribution by municipal corporation.

- (2) For the purpose of enforcing the payment of the sum by said order directed to be paid by such municipality, with interest and costs, the Minister and any officer appointed by him for that purpose, shall have and may exercise the like powers and shall proceed in the manner provided by *The Execution Act* where the sheriff proceeds upon an execution against a municipal corporation, and the provisions of that Act shall apply, *mutatis mutandis*. Enforcing payment of contribution.

15. The Minister shall have and may exercise within the limits of any municipal organization along the course of a road laid out, constructed, maintained or repaired under the provisions of subsection 2 of section 13, all the powers which may be exercised by a municipal corporation authorized to lay out, maintain and construct a highway. Powers of Minister where road in municipality.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 15.

An Act for the settlement of certain questions  
between the Governments of Canada and  
Ontario respecting Indian Reserve  
Lands.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Indian Lands Act, 1924.*

Agreement  
with Dom-  
inion as to  
minerals in  
Indian lands.

**2.** The agreement between the Dominion of Canada and the Province of Ontario, in the terms set out in Schedule "A" hereto, shall be as binding on the Province of Ontario as if the provisions thereof had been set forth in an Act of this Legislature, and the Lieutenant-Governor in Council is hereby authorized to carry out the provisions of the said agreement.

## SCHEDULE "A".

Memorandum of Agreement made in triplicate this 24th day of March, 1924.

Between:

THE GOVERNMENT OF THE DOMINION OF CANADA,  
acting herein by the Honourable Charles Stewart,  
Superintendent General of Indian Affairs,

of the first part,

—and—

THE GOVERNMENT OF THE PROVINCE OF ONTARIO,  
acting herein by the Honourable James Lyons, Minister  
of Lands and Forests, and the Honourable Charles  
McCrea, Minister of Mines,

of the second part.

Whereas from time to time treaties have been made with the Indians for the surrender for various considerations of their personal and usufructuary rights to territories now included in the Province of Ontario, such considerations including the setting apart for the exclusive use of the Indians of certain defined areas of land known as Indian Reserves;

And whereas, except as to such Reserves, the said territories were by the said treaties freed, for the ultimate benefit of the Province of Ontario, of the burden of the Indian rights, and became subject to be administered by the Government of the said Province for the sole benefit thereof;

And

And whereas the surrender of the whole or some portion of a Reserve by the band of Indians to whom the same was allotted has, in respect of certain Reserves in the Provinces of Ontario and Quebec, been under consideration in certain appeals to the Judicial Committee of the Privy Council, and the respective rights of the Dominion of Canada and the Province of Ontario, upon such surrenders being made, depend upon the law as declared by the Judicial Committee of the Privy Council and otherwise affecting the Reserve in question, and upon the circumstances under which it was set off;

And whereas on the 7th day of July, 1902, before the determination of the last two of the said appeals, it had been agreed between counsel for the Governments of the Dominion of Canada and the Province of Ontario, respectively, that, as a matter of policy and convenience, and without thereby affecting the constitutional or legal rights of either of the said Governments, the Government of the Dominion of Canada should have full power and authority to sell, lease and convey title in fee simple or for any less estate to any lands forming part of any Reserve thereafter surrendered by the Indians, and that any such sales, leases or other conveyances as had theretofore been made by the said Government should be confirmed by the Province of Ontario, the Dominion of Canada, however, holding the proceeds of any lands so sold, leased or conveyed subject, upon the extinction of the Indian interest therein and so far as such proceeds had been converted into money, to such rights of the Province of Ontario as might exist by law;

And whereas by the said agreement it was further provided that, as to the Reserves set aside for the Indians under a certain treaty made in 1873 and recited in the Schedule to the Dominion Statute, 54-55 Victoria, chapter 5, and the Statute of the Province of Ontario, 54 Victoria, chapter 3, the precious metals should be considered to form part thereof and might be disposed of by the Dominion of Canada in the same way and subject to the same conditions as the land in which they existed, and that the question whether the precious metals in the lands included in Reserves set aside under other treaties were to be considered as forming part thereof or not, should be expressly left for decision in accordance with the circumstances and the law governing each.

Now this agreement witnesseth that the parties hereto, in order to settle all outstanding questions relating to Indian Reserves in the Province of Ontario, have mutually agreed, subject to the approval of the Parliament of Canada and the Legislature of the Province of Ontario, as follows:—

1. All Indian Reserves in the Province of Ontario heretofore or hereafter set aside, shall be administered by the Dominion of Canada for the benefit of the band or bands of Indians to which each may have been or may be allotted; portions thereof may, upon their surrender for the purpose by the said band or bands, be sold, leased or otherwise disposed of by letters patent under the Great Seal of Canada, or otherwise under the direction of the Government of Canada, and the proceeds of such sale, lease or other disposition applied for the benefit of such band or bands, provided, however, that in the event of the band or bands to which any such Reserve has been allotted becoming extinct, or if, for any other reason, such Reserve, or any portion thereof, is declared by the Superintendent General of Indian Affairs to be no longer required for the benefit of the said band or bands, the same shall thereafter be administered by, and for the benefit of, the Province of Ontario, and any balance of the proceeds of the sale or other disposition of any portion thereof then remaining under the control of the Dominion of Canada shall, so far as the same is not still required to be applied for the benefit of the said band or bands of Indians, be paid to the Province of Ontario, together with accrued unexpended simple interest thereon.

2. Any sale, lease or other disposition made pursuant to the provisions of the last preceding paragraph may include or may be limited to the minerals (including the precious metals) contained in or under the lands sold, leased or otherwise disposed of, but every grant shall be subject to the provisions of the Statute of the Province of Ontario entitled, "The Bed of Navigable Waters Act," Revised Statutes of Ontario, 1914, Chapter 31.

3. Any person authorized under the laws of the Province of Ontario to enter upon land for the purpose of prospecting for minerals thereupon shall be permitted to prospect for minerals in any Indian Reserve upon obtaining permission so to do from the Indian Agent for such Reserve and upon complying with such conditions as may be attached to such permission, and may stake out a mining claim or claims on such Reserve.

4. No person not so authorized under the laws of the Province of Ontario shall be given permission to prospect for minerals upon any Indian Reserve.

5. The rules governing the mode of staking and the size and number of mining claims in force from time to time in the Province of Ontario or in the part thereof within which any Indian Reserve lies shall apply to the staking of mining claims on any such Reserve, but the staking of a mining claim upon any Indian Reserve shall confer no rights upon the person by whom such claim is staked except such as may be attached to such staking by The Indian Act or other law relating to the disposition of Indian Lands.

6. Except as provided in the next following paragraph, one-half of the consideration payable, whether by way of purchase money, rent, royalty or otherwise, in respect of any sale, lease or other disposition of a mining claim staked as aforesaid, and, if in any other sale, lease or other disposition hereafter made of Indian Reserve lands in the Province of Ontario, any minerals are included, and the consideration for such sale, lease or other disposition was to the knowledge of the Department of Indian Affairs affected by the existence or supposed existence in the said lands of such minerals, one-half of the consideration payable in respect of any such other sale, lease or other disposition, shall forthwith upon its receipt from time to time, be paid to the Province of Ontario; the other half only shall be dealt with by the Dominion of Canada as provided in the paragraph of this agreement numbered 1.

7. The last preceding paragraph shall not apply to the sale, lease or other disposition of any mining claim or minerals on or in any of the lands set apart as Indian Reserves pursuant to the hereinbefore recited treaty made in 1873, and nothing in this agreement shall be deemed to detract from the rights of the Dominion of Canada touching any lands or minerals granted or conveyed by His Majesty for the use and benefit of Indians by letters patent under the Great Seal of the Province of Upper Canada, of the Province of Canada or of the Province of Ontario, or in any minerals vested for such use and benefit by the operation upon any such letters patent of any statute of the Province of Ontario.

8. No water power included in any Indian Reserve, which in its natural condition at the average low stage of water has a greater capacity than 500 horse-power, shall be disposed of by the Dominion of Canada except with the consent of the Government of the Province of Ontario and in accordance with such special agreement, if any, as may be made with regard thereto and to the division of the purchase money, rental or other consideration given therefor.

9. Every sale, lease or other disposition heretofore made under the Great Seal of Canada or otherwise under the directions of the Government of Canada of lands which were at the time of such sale, lease or other disposition included in any Indian Reserve in the Province of Ontario, is hereby confirmed, whether or not such sale, lease or other disposition included the precious metals, but subject to the provisions of the aforesaid statute of the Province of Ontario entitled "The Bed of Navigable Waters Act," and the consideration received in respect of any such sale, lease or other disposition shall be and continue to be dealt with by the Dominion of Canada in accordance with the provisions of the paragraph of this agreement numbered 1, and the consideration received in respect of any sale, lease or other disposition heretofore made under the Great Seal of the Province of Ontario, or under the direction of the Government of the said Province of any lands which at any time formed part of any Indian Reserve, shall remain under the exclusive control and at the disposition of the Province of Ontario.

10. Nothing herein contained, except the provision for the application of The Bed of Navigable Waters Act aforesaid, shall affect the interpretation which would apart from this agreement, be put upon the words of any letters patent heretofore or hereafter issued under the Great Seal of Canada or the Great Seal of the Province of Ontario, or of any lease or other conveyance, or of any contract heretofore or hereafter made under the direction of the Government of Canada or of the Province of Ontario,

In witness whereof these presents have been signed by the parties thereto the day and year above written.

Signed on behalf of the Government of  
Canada by the Honourable Charles  
Stewart, Superintendent General of  
Indian Affairs, in the presence of:

CHAS. STEWART.

DUNCAN C. SCOTT.

Signed on behalf of the Government of  
the Province of Ontario by the Hon-  
ourable James Lyons, Minister of  
Lands and Forests, and by the Hon-  
ourable Charles McCrea, Minister of  
Mines, in the presence of:

JAMES LYONS (L.S.)

C. MCCREA (L.S.)

W. C. CAIN.

## CHAPTER 16.

## An Act to amend The Crown Timber Act.

*Assented to 17th April, 1924.*

**HIS** MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Crown Timber Act, 1924.*

Rev. Stat.  
c. 29,  
amended.

**2.** *The Crown Timber Act* is amended by adding thereto the following section:

Manu-  
facturing  
conditions as  
to hardwood

**6a.** All sales of timber limits which confer the right to cut and remove birch, beech, maple, elm, ash, basswood or oak trees, and all licenses or contracts, agreements or other instruments under which exists the right to cut the same on Crown lands or on lands where such trees remain the property of the Crown, shall be issued, made or granted subject to the conditions set out in the first regulation in schedule C, and it shall be sufficient if such conditions are referred to as "The Manufacturing Conditions" in all notices, licenses, contracts, agreements or other instruments.

Rev. Stat.  
c. 29, s. 7,  
repealed.

**3.** Section 7 of *The Crown Timber Act* is repealed and the following substituted therefor:

Regulations.

**7.** The regulations contained in schedules A, B and C shall respectively apply to all licenses, contracts, agreements or other instruments.

Rev. Stat.  
c. 29, s. 8,  
amended.

**4.** Section 8 of *The Crown Timber Act* is amended by striking out the letters and word "A and B" at the end thereof and substituting therefor the letters and word "A, B and C."

Rev. Stat.  
c. 29,  
amended.

**5.** *The Crown Timber Act* is amended by adding thereto the following schedule:



## SCHEDULE C.

## MANUFACTURING CONDITIONS—HARDWOOD TREES.

1. All birch, beech, maple, elm, ash, basswood or oak trees cut under the authority of a license, contract, agreement or other instrument under which exists the right to cut the same on Crown lands or on lands where such trees remain the property of the Crown, shall, except as hereinafter provided, be manufactured into sawn lumber in Canada, that is to say, into boards, deals, joists, lath, or other sawn lumber, or into staves or veneer, and such conditions shall be kept and observed by the holder of any such license, contract, agreement or other instrument, and by every person who cuts or causes to be cut birch, beech, maple, elm, ash, basswood or oak trees and all such birch, beech, maple, elm, ash, basswood or oak trees cut into logs shall be so manufactured in Canada.
2. If any holder of a timber license, contract, agreement or other instrument, or any servant or agent of such holder, or any person acting for him, or with his authority or permission, violates or refuses to keep and observe the provisions of the next preceding regulation, the license, contract, agreement or other instrument as to the berth, territory or lot included in the license, contract, agreement or other instrument on which or on any part of which the said trees were cut, and in respect of which or any part of which there was a breach of such regulation or a neglect or refusal to observe or keep it, shall be suspended and held in abeyance, and shall not be re-issued, nor shall a new license, contract, agreement or other instrument be made, unless and until so directed by the Lieutenant-Governor in Council, and then only upon such terms and conditions as he may prescribe.
3. The Minister, his officers, servants and agents may do all things necessary to prevent a breach of such regulation, and to secure compliance with it, and may, for that purpose take, seize, hold and detain all timber and logs cut on the berth, territory or lot included in the license, contract, agreement or other instrument, which it appears to the Minister it is not the intention of the holder of such license, contract, agreement or other instrument, or the owner or person in possession of said timber or logs, to so manufacture or cause to be so manufactured in Canada, or to dispose of to others who will cause such timber or logs to be so manufactured in Canada, until security is given to His Majesty, satisfactory to the Minister, that the regulation will be kept and observed, and that such logs and timber will be so manufactured in Canada, and in the event of the neglect or refusal to give such security within four weeks after notice of the seizure and demand of security by or on behalf of the Minister, the Minister may sell, or cause to be sold, such logs and timber by public auction, after due advertisement, to some person who will give such security to His Majesty as the Minister may require that such logs and timber shall be so manufactured in Canada.
4. The proceeds of such logs and timber shall, after the sale and after deducting all expenses of such seizure and sale, and any sum owing to His Majesty for or in respect of any timber dues, trespass dues, ground rent, fire charges, or on account of the purchase of any timber or timber berth or land by such holder, owner or person in possession, be paid over to the person entitled to the same.
5. Nothing in the preceding regulation which requires birch, beech, maple, elm, ash, basswood, or oak trees, logs or timber to be manufactured in Canada, shall apply to trees, logs or timber cut and in use in Canada for any purpose for which trees, logs or timber in the unmanufactured state, are or may be used.
6. This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

Commence-  
ment of  
Act.

## CHAPTER 17.

An Act to provide for the Licensing of Sawmills  
and Pulp and Paper Mills.*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

- Short title.      **1.** This Act may be cited as *The Mills Licensing Act, 1924*.
- Interpre-  
tation.          **2.** In this Act,—
- “Mill.”            (a) “Mill” shall mean and include a stationary or portable sawmill or pulp and paper mill, and “milling” shall mean carrying on the business of conducting and operating a mill;
- “Milling.”
- “Minister.”      (b) “Minister” shall mean the Minister of Lands and Forests;
- “Regu-  
lations.”        (c) “Regulations” shall mean regulations made under the authority of this Act.
- Licenses.        **3.** Subject to the regulations the Minister may, in his discretion, issue licenses for conducting and operating mills in Ontario.
- Regulations.    **4.** The Lieutenant-Governor in Council may from time to time make regulations,—
- (a) for the issue of licenses for the construction and operation of mills;
- (b) prescribing the form of license and the fees to be paid therefor;
- (c) prescribing the term of any license issued under this Act and providing for the renewal thereof;
- (d) imposing such conditions as to the location, erecting or setting up of mills, the method of operating

mills

mills and the precautions to be taken by licensees for the prevention of fire and for the safety of life and property and the disposal of waste or refuse therefrom;

- (e) prescribing the returns to be made by licensees as to the sources of supply of the material for use in mills, the quantity of material used and the output of mills; and
- (f) generally for the better carrying out of the provisions of this Act.

**5.**—(1) Every person who constructs, or erects, or sets up, or conducts or operates a mill without first having obtained a license from the Minister, or who contravenes any of the regulations, shall be guilty of an offence and for each such offence shall incur a penalty not exceeding \$200, and in default of payment thereof shall be liable to imprisonment for a period not exceeding six months. Offences and penalties.

(2) Upon conviction of any offence under this Act, the Minister may cancel any license issued to the offender. Cancellation of license.

(3) *The Ontario Summary Convictions Act* shall apply to prosecutions under this Act. Rev. Stat. c. 90 to apply.

**6.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation. Commencement of Act.

## CHAPTER 18.

## An Act to amend The Mining Act of Ontario.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Mining Act, 1924*.

Rev. Stat.,  
c. 32, s. 77,  
subss. 5-8  
repealed.

2. Subsections 5, 6, 7 and 8 of section 77 of *The Mining Act of Ontario* are repealed, and the following substituted therefor:

Execution  
against  
claims, etc.

(5) A copy of a writ of execution certified by the sheriff of the county or district, or a bailiff of a division court therein, to be a true copy of a writ in his hands may be filed with the Recorder, and the Recorder, upon receiving the prescribed fee and being given the number or description of the claim, shall enter a note of such execution upon the record of each claim of which the execution debtor is the recorded holder or in which he has a recorded interest, and from and after, but not before, such entry, the execution shall bind all the right or interest of the execution debtor in the claim, and after such entry the sheriff or bailiff shall have power to sell and realize upon such right or interest in the same way as goods and chattels may be sold and realized upon under execution, and a transfer from the sheriff or bailiff to the purchaser may, upon the latter becoming, if he is not before, a licensee, be recorded in like manner and with the same effect as a transfer from the execution debtor.

Certified  
copy—  
fee there-  
for.

(6) Such certified copy of the writ of execution may be obtained from the sheriff or bailiff on payment of a fee of \$1, which fee, together with the fee paid for recording the same, shall be added to the execution debt.

- (7) After entry of such execution upon the record of the claim the sheriff, bailiff or the execution creditor may do anything which the execution debtor could do to keep the claim or interest in or restore it to good standing, and shall be entitled to add the necessary expense thereof to the execution debt. Renewal of execution.
- (8) Such execution may be discharged by recording a certificate from the sheriff or bailiff that it has been satisfied, or by recording a release from the execution creditor, or by obtaining and filing an order of the commissioner directing its removal. Discharge of execution.
3. Subsection 9 of section 78 of *The Mining Act of Ontario*, as enacted by section 5 of *The Mining Law Amendment Act, 1918*, is repealed. Rev. Stat., c. 32, s. 78, subs. 9, (1918, c. 9, s. 5) repealed.
4. Section 88 of *The Mining Act of Ontario* is repealed, and the following substituted therefor: Rev. Stat., c. 32, s. 88, repealed.
- (88) Where a licensee in whose name a mining claim has been staked out, dies before the claim is recorded, or where the holder of a claim dies before issue of the patent or lease for the claim, no other person shall, without leave of the commissioner, be entitled to stake out or record a mining claim upon any part of the same lands or to acquire any right, privilege or interest in respect thereof within twelve months after the death of such licensee or holder, and the commissioner may at any time make such order as may seem just for vesting the claim in the representative of such holder, notwithstanding any lapse, abandonment, cancellation, forfeiture or loss of rights under any provision of this Act. Death of licensee before recording claim, or of holder before patent.

## CHAPTER 19.

## An Act to encourage the Mining of Iron Ore.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

- Short title.      **1.** This Act may be cited as *The Iron Ore Bounty Act, 1924.*
- Interpre-      **2.** In this Act,—
- tation.
- “Unit.”      (a) “Unit” shall mean one per cent;
- “Ton.”      (b) “Ton” shall mean 2,240 pounds avoirdupois weight.
- Bounty on      **3.** The Treasurer of the Province of Ontario may under the  
iron ore  
treated in  
Ontario.      authority of such regulations as may be made from time to time by the Lieutenant-Governor in Council, and out of moneys appropriated by the Legislature for the purpose, pay a bounty to the miners or producers of iron ore which shall be raised or mined in the Province of Ontario for a period of ten years from the date of the coming into force of this Act, at the rate of one-half of one cent for every unit of metallic iron contained in every ton of such ore, in the manner following, that is to say:—
- (a) on low grade iron ore when the same has been concentrated, treated or beneficiated in Ontario by mechanical means and delivered at any iron blast furnace or other works for the production of pig iron or steel and for use in the same;
- (b) on iron ore in the natural or unbeneficiated condition when delivered at any blast furnace or other works for the production of pig iron or steel in the Province of Ontario, and for use in the same.
- Temperature      **4.** In ascertaining the contents of iron ore for the purpose  
at which  
assay to be  
made.      of the bounty, the assay or analysis of the same shall be made when the ore has been dried at 212 degrees Fahrenheit.

5. The bounty herein provided shall cease and determine with the payment of any sum or sums which shall have been earned during the said period of ten years.

Bounty to  
relate to ten  
years' earn-  
ings.

6. Section 111a of *The Mining Act of Ontario* as enacted by section 1 of the Act passed in the year 1917, chaptered 11, shall not apply to iron ore, nor to the lands, claims or mining rights from which the same is mined or taken.

Rev. Stat.  
c. 32, s. 111a,  
(1917, c. 11,  
s. 1) not to  
apply in  
certain  
cases.

7. This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

Commence-  
ment of  
Act.

## CHAPTER 20

An Act for Licensing and Regulating Dealers  
in Unwrought Metals.*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Unwrought Metal Sales Act, 1924.*

Interpre-      **2.** In this Act,—  
tation.

"License."      (a) "License" shall mean license issued by the Minister under the authority of this Act;

License      (b) "License holder" shall mean the holder of a license  
holder."      issued under the authority of this Act;

"Minister."      (c) "Minister" shall mean the Minister of Mines;

"Prescribed"      (d) "Prescribed" shall mean prescribed in this Act and by the regulations made under this Act;

"Regu-      (e) "Regulations" shall mean regulations made under  
lations."      the authority of this Act;

"Metal."      (f) "Metal" shall mean gold, silver, platinum, palladium and any other precious or rare metal or metals;

"Unwrought      (g) "Unwrought metal" shall include metal as defined  
metal."      in this Act, whether or not in ore, quartz, rock, sand, gravel or earth or in nuggets or "metallics" so-called, and generally metal in any form whether refined or unrefined and whether or not made up into ingots, bricks, bars, rods or otherwise and whether or not associated with mercury, zinc, aluminium or any other reducing or precipitating agent or other substance, and the by-products obtained in the smelting, refining or other treatment of metal or metal-bearing substances, and generally

metal



metal in any form whatever not made up and manufactured into any finished article or thing for use, ornament, or other purpose.

**3.** Subject to the regulations the Minister may issue Licenses. licenses to such persons as may comply with the prescribed conditions to buy, sell, deal in, receive or dispose of by way of barter, pledge or otherwise, unwrought metal.

**4.** Every person who not being a license holder buys, sells, Sale by unlicensed persons prohibited. deals in, receives or disposes of by way of barter, pledge or otherwise, either as principal or agent, any unwrought metal shall be guilty of an offence against this Act and shall, in the case of a first offence, incur a penalty not exceeding \$500 and in addition thereto may be imprisoned for a period not exceeding one year, and for a second or any subsequent offence shall incur a penalty not exceeding \$1,000 and shall Penalty. be imprisoned for a period of one year.

**5.** Every person who knowingly purchases or in any other Purchase from unlicensed person prohibited. manner acquires possession of unwrought metal from any person other than a license holder shall be guilty of an offence and shall incur the penalties provided in section 4.

**6.** The Lieutenant-Governor in Council may make regu- Regulations. lations,

- (a) prescribing the form of license and the dates on which and the periods for which the licenses shall be issued;
- (b) for the cancelling of licenses for any breach of the provisions of this Act or the regulations;
- (c) prescribing the fees payable for licenses and the conditions to be complied with by the license holders;
- (d) for the keeping of books and records by license holders showing the particulars as to the sale and disposal of unwrought metal;
- (e) for the making up and filing of returns by license holders containing such particulars as may be deemed necessary;
- (f) for prohibiting the carrying on of business by a license holder in any particular locality or for any particular period or during any stated hours of the day;

(g)

(g) generally for the better carrying out of the provisions of this Act.

Exceptions. **7.** This Act shall not apply to the Department of Mines, the Provincial Assay Office at Toronto, or the Temiskaming Testing Laboratories at Cobalt, carried on and operated by the said Department, and the Minister may in writing under his hand and seal of office exempt any mining company or the proprietor or operator of any mine from the provisions of this Act, and may at any time cancel and revoke such exemption.

Application of Rev. Stat., c. 90. **8.** *The Ontario Summary Convictions Act* shall apply to prosecutions under this Act.

Commencement of Act. **9.** This Act shall come into force on the 1st day of November, 1924.

## CHAPTER 21.

An Act to establish the Mining Court  
of Ontario.*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Mining Court Act, 1924.* Short title.

2.—(1) There shall be a court to be known as the Mining Court of Ontario, hereinafter called the "Court." Court established.

(2) The Court shall be a court of record and shall have a seal with which all process shall be sealed or stamped. Court of record,—seal.

3.—(1) The Court shall be presided over by a judge to be appointed as provided by *The British North America Act, 1867*, who shall be known as the Judge of the Mining Court. Judge.

(2) The Judge of the Mining Court shall hold office during good behaviour but not after he attains the age of seventy-five years and shall not be removed from office except upon an address of the Assembly to the Lieutenant-Governor. Tenure of office.

4. There shall be a Registrar of the Court and until some other appointment is made by the Lieutenant-Governor in Council the Secretary of the Mining Commissioner of Ontario heretofore appointed shall be the Registrar. Registrar.

5.—(1) Except as provided by sections 182 and 183 of *The Mining Act of Ontario*, no action concerning mining lands as defined by clause *m* of section 2 of *The Mining Act of Ontario* shall lie nor shall any other proceeding be taken in any other court as to any matter or thing arising under *The Mining Act of Ontario* whether before or after issue of the patent or involving the interpretation of the provisions thereof or as to rights acquired or alleged to have been acquired thereunder, or as to any matter or thing involving any right or claim under the said Act, and every such matter, and every claim, question and dispute arising as aforesaid shall be

brought

brought and determined in the Court, and in the exercise of the powers conferred by this section the Judge of the Mining Court may make such order and give such directions as he may deem necessary to make effectual and enforce compliance with his decision.

Powers of Judge.

(2) The Judge shall have and may exercise in the Mining Court the same powers as a Judge of a Superior Court sitting in a civil case.

Transfer of powers and duties from Commissioner to Judge.

(3) Every power, authority and duty heretofore conferred or imposed, or which heretofore might have been conferred or imposed upon the Mining Commissioner of Ontario under *The Mining Act of Ontario* or under section 20 of *The Mining Tax Act* shall be possessed, exercised and performed by, and may be conferred or imposed upon the Judge of the Mining Court.

Pending matters.

(4) Subject to the provisions of this Act and to the rules made under the authority of this Act, all matters pending before the Mining Commissioner at the time of the coming into force of this Act may be proceeded with and heard and determined in the Court.

Style of proceedings.

(5) Every notice, and every document in any matter, application or appeal coming before the Judge of the Mining Court shall be styled "in the Mining Court of Ontario."

Witnesses and enforcing attendance.

6. Subject to the regulations made under the authority of this Act, a subpoena may issue out of the Mining Court or out of the Supreme Court or county or district court for the purpose of compelling the attendance of witnesses and the production of documents and things in any proceeding before the Mining Court or before the Judge of the Mining Court, and the Judge shall also have, with respect to matters which may be dealt with by him under the provisions of *The Mining Act of Ontario*, all the powers of summoning and enforcing the attendance of witnesses and compelling them to give evidence and produce documents and things which the Judge of a Superior Court or of a county or district court has in civil cases.

Exclusion of questions involving validity of patents.

7. Nothing in this Act contained shall be deemed to confer upon the Mining Court, or upon the Judge of the Mining Court, any power or authority to declare forfeited and void or to cancel or annul any Crown patent issued for lands, mining lands, mining claims or mining rights, but every action or other proceeding to declare forfeited or void or to cancel or annul any such Crown patent may be brought or taken in

the Supreme Court and shall be heard and determined in the same manner as if this Act had not been passed.

8. A party to any proceeding under *The Mining Act of Ontario* brought in the Mining Court and involving any right, privilege or interest in, or in connection with any patented lands, mining lands, mining claims or mining rights, may at any stage of such proceeding apply to the Supreme Court and the Supreme Court may make an order transferring the proceeding to the Supreme Court accordingly, upon such terms and subject to such directions as to the transfer of such proceeding and the continuation and hearing thereof, and as to costs, as may be deemed just.

Transfer of  
proceedings  
to Supreme  
Court.

9. The Lieutenant-Governor in Council may make rules: Rules.

- (a) prescribing the practice and procedure in the Court;
- (b) respecting the officers of the Court;
- (c) respecting the sittings of the Court and the places at which such sittings shall be held; and
- (d) generally for the better carrying out of the provisions of this Act.

10. Section 123 of *The Mining Act of Ontario* as enacted by section 17 of *The Mining Amendment Act, 1921*, and sections 124, 125 and 135 of *The Mining Act of Ontario* are repealed.

Rev. Stat.,  
c. 32, s. 123  
(1921, c. 16,  
s. 17); ss.  
124, 125,  
135, re-  
pealed.

11. This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

Commence-  
ment of  
Act.

## CHAPTER 22.

An Act to validate Titles to certain Mining  
Lands and Mining Rights.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title

1. This Act may be cited as *The Mining Tax Titles Validity Act, 1924*.

Forfeitures confirmed.

2. To remove doubts it is declared that where the Minister of Mines by his certificate given or purporting to be given under or in pursuance of *The Mining Tax Act*, has declared any mine, mining location, mining claim, mining land or other lands or mining rights forfeited to and vested in the Crown in right of the Province, and such declaration of forfeiture has not heretofore been annulled or revoked by order of the Lieutenant-Governor in Council, such mine, mining location, mining claim, mining land, lands or mining rights shall be deemed to be and to have been forfeited to and vested in the Crown in right of the Province, and every patent or lease or other title whereby any such mine, mining location, mining claim, mining land, lands or mining rights was, or were, or shall have been granted, leased or otherwise disposed of by the Crown shall be and shall be deemed to have been revoked and cancelled and the premises comprised therein vested in the Crown absolutely freed and discharged from any estate, right, title, interest, claim or demand therein or thereto whether existing, arising or accruing before or after such certificate was given.

Actions to set aside subsequent patents annulled.

3. No action shall hereafter be brought to set aside or annul any patent or lease heretofore granted by the Crown after the declaration of forfeiture of the premises described therein, nor shall any action or proceeding lie or be taken against or affecting the right of a licensee who has become the holder of the said lands under *The Mining Act of Ontario* subsequently to the said declaration of forfeiture, upon the ground

of any irregularity or informality in the proceedings taken under *The Mining Tax Act*, or for failure to comply with the requirements of the said Act before the declaration of forfeiture, or for any irregularity or informality in the certificate of forfeiture, and every such action or proceeding heretofore brought shall be forever stayed; provided that nothing in this Act shall apply to or affect an action at present pending in the Supreme Court affecting the title of mining claims L.O. 321 and L.O. 322 in the township of Deloro and such action may be continued and proceeded with and shall be heard and determined and judgment rendered therein as if this Act had not been passed.

4. This Act shall come into force on the day upon which <sup>Commence-</sup>  
it receives the Royal Assent. <sub>ment of Act.</sub>

## CHAPTER 23.

An Act to amend The Power  
Commission Act.*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Power Commission Act, 1924.*

Rev. Stat.  
c. 39, s. 5,  
subs. 1,  
(1915, c. 19,  
s. 2),  
repealed.

**2.** Subsection 1 of section 5 of *The Power Commission Act* as re-enacted by section 2 of *The Power Commission Act, 1915*, is repealed.

Rev. Stat.  
c. 39, s. 6e  
(1918, c. 14,  
s. 4),  
amended.

**3.** Section 6e of *The Power Commission Act*, as enacted by section 4 of *The Power Commission Act, 1918*, is amended by adding at the end thereof the words "or in securities guaranteed by the Province of Ontario."

Rev. Stat.  
c. 39,  
amended.

**4.** *The Power Commission Act* is amended by adding thereto the following section:

Powers of  
Commission.

**9a.** In the exercise of the powers conferred and in carrying out any work authorized by this Act or any other general or special Act, the Commission has and always has had authority to carry its wires along, upon, under and across any public highway or street, and to erect poles and put down conduits and all other structures necessary for that purpose, and to take down, remove, or take up the same without taking any of the proceedings prescribed by this Act for the taking of land without the consent of the owner thereof, and the provisions of this Act with regard to compensation for lands so taken shall not apply, but the location of any poles, conduits, lines or other structures of the Commission to be hereafter erected, put down or constructed upon a highway shall be agreed upon by the Commission and the municipal corporation or other authority having control of the highway, or in case of disagreement shall be determined by the Ontario Railway and Municipal Board.

Where



Where by reason of improvements or alteration on a highway, work becomes necessary on the poles, wires, conduits, transformers or any other structure of the Commission, such work shall be done by the Commission and the cost thereof and all services rendered in connection therewith as certified by the auditor of the Commission shall be borne equally by the Commission and the municipal corporation, board, or other authority having control of the highway.

5. Subsection 1 of section 15 of *The Power Commission Act* as enacted by section 7 of *The Power Commission Act, 1918*, is amended by inserting after the words "securities of" in the fourth line the words "or guaranteed by." Rev. Stat. c. 39, s. 15, (1918, c. 14, s. 7), amended.

6. Clause *a* of subsection 1 of section 19*a* of *The Power Commission Act*, as enacted by section 8 of *The Power Commission Act, 1917*, is amended by adding after the word "constructing" in the second line the words "acquiring, reconstructing, extending." Rev. Stat. c. 39, s. 19*a*, subs. 1 (1917, c. 20, s. 8), amended.

7. Subsection 2 of section 19*a* of *The Power Commission Act* as enacted by section 8 of *The Power Commission Act, 1917*, is repealed and the following substituted therefor: Rev. Stat. c. 39, s. 19*a*, subs. 2 (1917, c. 20, s. 8), repealed.

(2) The council of a township by by-law may from time to time set apart a portion of the township as to which any of the by-laws passed under subsection 1 may have effect and may submit the by-law for the establishment of such works or for entering into such contract to the municipal electors qualified to vote on money by-laws in the portion of the township so set apart. Sectional township by-law.

(2*a*) The council with the approval of the Commission may from time to time enlarge, alter or vary the boundaries of any such area or incorporate with it any other such area. Enlarging, altering or varying section.

8. Subsection 3 of section 19*a* of *The Power Commission Act*, as enacted by section 8 of *The Power Commission Act, 1917*, is amended by adding after the words "subsection 2" the words "or subsection 2*a*" and by adding at the end of the said subsection the words "or as enlarged, altered or varied and notwithstanding anything contained in *The Consolidated Municipal Act, 1922*, or in any other Act it shall not be necessary to obtain the assent of the electors to the by-law for the issue of such debentures." Rev. Stat. c. 39, s. 19*a*, subs. 3 (1917, c. 20, s. 8), amended.

Rev. Stat.  
c. 39, s. 19a,  
subs. 4  
(1917, c. 20,  
s. 8),  
amended.

**9.** Subsection 4 of section 19a of *The Power Commission Act*, as enacted by section 8 of *The Power Commission Act, 1917*, and amended by section 3 of *The Power Commission Act, 1922*, is further amended by striking out the words "for the district so set apart" in the third and fourth lines, and by striking out the words "shall be residents of such district" in the sixth and seventh lines, and inserting in lieu thereof the words "shall be residents of the district so set apart or as enlarged, altered or varied."

Rev. Stat.  
c. 39, s. 23,  
cl. c,  
amended.

**10.** The clause lettered *c* in section 23 of *The Power Commission Act* as amended by section 4 of *The Power Commission Act, 1914*, section 11 of *The Power Commission Act, 1915*, section 11 of *The Power Commission Act, 1918*, and section 3 of *The Power Commission Act, 1919*, is further amended by striking out the words and figures "and such sum not exceeding \$15,000 per annum as the Lieutenant-Governor in Council may direct to be paid to the chairman and other members of the Commission as remuneration for their services in addition to any sum payable to them out of the Consolidated Revenue Fund" and inserting in lieu thereof, the words and figures, "and such sum not exceeding \$45,000 per annum as the Lieutenant-Governor in Council may direct to be paid to the chairman and other members of the Commission as remuneration for their services, including the services of any member of the Commission as director or otherwise in connection with a company owned or controlled by the Commission, or the capital stock or assets of which have been acquired by the Commission."

Rev. Stat.  
c. 39, s. 23b,  
(1918, c. 14,  
s. 7),  
amended.

**11.**—(1) Section 23b of *The Power Commission Act* as enacted by section 13 of *The Power Commission Act, 1918*, is amended by adding at the end thereof the words "and the Commission from time to time on such conditions as may be deemed equitable or advisable may include in any such system one or more other such municipalities whether already part of any system or not or may unite any two or more systems in one system and may join in a system two or more such municipalities whether already part of any system or not and for the purposes of this section a portion set apart under section 19a or a rural power district may be considered as a municipality."

Alteration  
in power  
systems.

Amendment  
retroactive.

(2) The amendment made by subsection 1 shall have effect as from the 1st day of November, 1922.

Rev. Stat.  
c. 39, s. 30,  
amended.

**12.** Section 30 of *The Power Commission Act* is amended by striking out all the words following the words "by Part I" in the sixth line.

**13.** Section 30e of *The Power Commission Act* as enacted by section 4 of *The Power Commission Act, 1922*, is amended by inserting after the word "may" in the twelfth line the words "on behalf of the municipal corporation"; by inserting after the word "construct" in the twelfth line the words "acquire, reconstruct, extend"; and by inserting after the words "rural power district" in the sixteenth and seventeenth lines the words "who have entered into a contract for electrical power or energy with the municipal corporation of the township in which each such person resides."

Rev. Stat.  
c. 39, s. 30e,  
(1922, c. 31,  
s. 4),  
amended.

**14.** *The Power Commission Act* is amended by adding thereto the following section:

Rev. Stat.  
c. 39,  
s. 4,  
amended.

30ee. Whenever the municipal corporation of any such township at the time of entering into the contract has been operating a distribution system for distributing electrical power or energy to inhabitants of the township or has a contract with the Commission for a supply of electrical power or energy under any other part of this Act, the Commission, with the approval of the municipal corporation, may take over, acquire, reconstruct, extend and operate such distribution system and may adopt and perform the contracts with the customers thereof and may incorporate such system in a rural power district.

Changing  
from any  
other  
method of  
supply to  
rural power  
district.

**15.** Section 30f of *The Power Commission Act* as enacted by section 5 of *The Power Commission Act, 1920*, is repealed and the following substituted therefor:

Rev. Stat.  
c. 39, s. 30f,  
(1920, c. 18,  
s. 5),  
repealed.

30f. The council of the township or the council of each of the townships entering into a contract under either of the next two preceding sections may pass a by-law for entering into such contract and may execute the same, and it shall not be necessary to submit any such by-law to the vote of the electors or to comply with any of the other forms required in the case of a by-law passed under Part I of this Act.

Rural power  
district,  
assent of  
electors not  
required.

**16.** Section 30j of *The Power Commission Act* as enacted by section 5 of *The Power Commission Act, 1920*, is repealed.

Rev. Stat.  
c. 39, s. 30j,  
(1920, c. 18,  
s. 5),  
amended.

**17.** Section 37 of *The Power Commission Act* as re-enacted by section 10 of *The Power Commission Act, 1916*, and amended by section 12 of *The Power Commission Act, 1917*, and section 15 of *The Power Commission Act, 1918*, is repealed and the following substituted therefor:

Rev. Stat.  
c. 39, s. 37,  
(1916, c. 19,  
s. 10),  
repealed.

Power to  
make  
regulations.

37.—(1) The Commission may, with the approval of the Lieutenant-Governor in Council make rules and regulations,—

Regulations  
as to plant,  
machinery,  
etc.

(a) prescribing the design, construction, installation, protection, use, maintenance, repair, extension, alteration, connection and disconnection of all installations, plant, machinery, apparatus, appliances, devices, fittings, materials and equipment and other works and matters used or to be used in the generation, transformation, transmission, distribution, supply or utilization of electrical power or energy in Ontario;

Prohibiting  
use until  
authorized.

(b) prohibiting the use in Ontario of any such works or matters until the same shall have been inspected and approved;

Prohibiting  
advertising  
or sale in  
unauthoriz-  
ed manner.

(c) prohibiting the advertising or display or offering for sale or other disposal, and the sale or other disposal, publicly or privately in Ontario, of any such works or matters unless and until the same shall have been inspected and approved, and prescribing the precautions to be taken in the sale or other disposal of such works or matters and the warnings and instructions to be given to purchasers and others in advertisements and by circular or otherwise in order to prevent their use in such manner or under such conditions as may be likely to result in undue hazard to persons or property;

Inspection  
test and  
approval.

(d) providing for the inspection, test and approval of all such works and matters before being used for any such purposes.

Issuing of  
plans and  
specifica-  
tions.

(2) The Commission may from time to time prepare and issue plans and specifications governing the design, construction and test of any of the works or matters mentioned in subsection 1, and may from time to time amend or alter such plans and specifications.

Orders  
relating to  
installations,  
alterations,  
etc.

(3) The Commission may at any time issue such orders relating to work to be done in the installation, removal, alteration, repair, protection, connection or disconnection of any of the works or matters mentioned in subsection 1 as the Commission may

deem

deem necessary for the safety of the public or of workmen or for the protection of property.

- (4) The Commission may appoint such inspectors and other officers as it may deem necessary for the purposes of this section. Appointment of inspectorial staff.
- (5) The Commission may prescribe the fees to be paid for permits and for inspection, test and approval of all such works and matters mentioned in subsection 1 and of plans and specifications relating thereto, and may prescribe also the time and manner of payment of such fees. Fees for permits, inspection, test and approval.
- (6) The Commission shall collect the fees prescribed by it under the authority of subsection 5 and shall provide for the remuneration, travelling and other expenses of the said inspectors and other qualified persons, together with all other expenses incurred in carrying out the provisions of this section, out of the said fees and out of any fines imposed for breach of any of the provisions of this section or of any rules, regulations, plans, specifications or orders made under the authority thereof, and out of the funds appropriated for carrying out the work of the Commission. Collection and disposition of fees and fines.
- (7) Every inspector appointed under the authority of this section may, at any reasonable hour enter upon, pass over or through any land, building or premises for the purpose of performing the duties assigned to him under the authority of this section. Powers of inspectors.
- (8) Nothing in this Act or in any of the rules or regulations, plans, specifications or orders issued under the authority of this section shall render the Commission or any of its inspectors or other employees liable, or shall affect the liability of any municipal or other corporation or commission, company, firm or individual, for any injury, loss or other damages caused to any person or property by reason of defects in any of the works or matters mentioned in this section or by reason of any order of the Commission notwithstanding any inspection or test or the issue of any certificate by the Commission or by any of its inspectors or other employees. Liability.
- (9) (a) Every municipal or other corporation or commission, and every company, firm or individual hindering, molesting, disturbing or

interfering

interfering with an inspector or other employee in the performance of his duty under this section shall incur a penalty of not less than \$10 nor more than \$50 for each and every offence.

Penalty for disobedience to regulations.

(b) Every municipal or other corporation or commission, and every company, firm or individual refusing or neglecting to comply with the provisions of this section, or with any rule or regulation, plan or specification made under the authority thereof, shall incur a penalty of not less than \$10 nor more than \$50 for each and every such offence.

Penalty for disobedience to order.

(c) Every municipal or other corporation or commission, and every company, firm or individual refusing or neglecting to comply with any order issued by the Commission under the authority of subsection 3 shall incur a penalty of not less than \$100 nor more than \$500 and a further penalty of not less than \$100 nor more than \$500 for each and every separate day upon which such refusal or neglect is repeated or continued.

Recovery of penalties.

(d) The penalties imposed by or under the authority of this section shall be recoverable under *The Ontario Summary Convictions Act* and shall be paid over to the Commission.

Section not to apply to mines.

(10) This section shall not apply to any mine as defined under *The Mining Act of Ontario* save only as regards any dwelling house or other building not connected with or required for mining operations or purposes or used for the treatment of ore or mineral.

Rev. Stat. c. 39, amended.

**18.** *The Power Commission Act* is amended by adding thereto the following sections:

Collection of arrears on direction from Commission.

**38a.** Where it appears to the Commission upon the examination of the accounts of any municipal corporation or municipal commission receiving power from the Commission under a contract between the municipal corporation and the Commission under this Act, that there are arrears due and owing for electrical power or energy supplied by the municipal corporation or municipal commission or for rents, rates, costs and charges in connection with the service or supply of such

power

power or energy or for the installation of any works for such service or supply and that the municipal corporation or municipal commission has not taken the necessary proceedings for the collection of such arrears, the Commission may give such directions as it may deem proper in writing, signed by the chairman or secretary, for the collection of the arrears by any method by which the same may be collected, and it shall be the duty of the municipal corporation or municipal commission forthwith after receiving such directions to take all proceedings necessary to carry the same into effect.

38b. Where a municipal corporation or a municipal commission receiving electrical power or energy from the Commission under a contract with the Commission entered into in pursuance of the provisions of this Act,—

Offences and penalties.

- (a) supplies electrical power or energy to any person upon terms and at rates other than those which have been approved of by the Commission;
- (b) grants to any person to whom electrical power or energy is supplied by the municipal corporation or commission, special terms by way of bonus or otherwise as to the rates to be paid for electrical power or energy, or as to the terms at which the same are to be supplied;
- (c) neglects or refuses to carry out any direction of the Commission given under section 38a;
- (d) by any means whatsoever, directly or indirectly reduces the cost of electrical power or energy to any individual, firm or corporation so that the same is supplied to such individual, firm or corporation at a lower rate or upon better terms than those approved of by the Commission;
- (e) fails to keep account in the manner prescribed by the Commission or makes improper entries therein or charges against any account items not properly chargeable thereto;

such municipal corporation or municipal commission shall be guilty of an offence and every

member

Proviso.

member of the municipal council of such municipal corporation or every member of the municipal commission as the case may be, shall be disqualified from sitting and voting in the council or from election thereto, or from acting as a member of the municipal commission or being appointed thereto, and from holding any other municipal office for a period of five years from the date of judgment or order declaring his disqualification and proceedings may be taken against him in the same manner as in the case of a member of a municipal council who has become disqualified or has forfeited his seat under the provisions of *The Consolidated Municipal Act, 1922*; Provided that no member of the municipal council or of the municipal commission as the case may be, shall be found to be so disqualified who proves to the satisfaction of the court or judge before whom the application for a declaration of his disqualification is made, that he was not a party to the offence and that he did everything in his power to prevent the commission of the same.

When default made Commission may take action.

- 38c. Where a municipal corporation or commission neglects or refuses to carry out any of the provisions of this Act or any direction or regulation lawfully given or made hereunder, the Commission, if it deems necessary or desirable so to do, may appoint some person or persons to do whatever is necessary to remedy such neglect or default and to comply with this Act or any such direction or regulation, and the reasonable and proper costs and charges incurred by the commission in so doing shall be a debt due and payable by the municipal corporation or municipal commission to the Commission and shall be added to and shall be chargeable and collected with the charges set out in section 23 of this Act.

Rev. Stat.  
c. 39,  
amended.

**19.** *The Power Commission Act* is amended by adding thereto the following section:

Enforcing payment of arrears of rates and charges.

52. Where the Commission supplies or distributes power directly to the consumer either on its own behalf or by arrangement or under contract with the municipal corporation, the amount payable by the owner or occupant of any building or lot, or part of lot, for the electrical power or energy supplied to him for use therein or thereon, and all rents, rates, costs and charges in connection with the service or supply of such power or energy or the installation of any works for such service or supply shall be a lien

and



and charge upon the building or lot or part of lot in the same manner and to the same extent as municipal taxes on land, and in default of payment the clerk of the municipality, upon being notified in writing by the Commission of the sum due, shall forthwith enter the same upon the collector's roll and it shall be collected in the same manner as municipal taxes on land and upon recovery thereof shall be paid over to the Commission.

- (a) For the purposes of this section electrical power or energy shall be deemed to be supplied to the consumer not only when it is actually used by the owner or occupant but when it is rendered available or held in reserve for him under the terms of his contract with the Commission or the municipal corporation.

**20.** By-law No. 1546 of the Corporation of the City of Guelph; By-laws Nos. 5 and 30 of the Corporation of the Town of Meaford; By-laws Nos. 511 and 512 of the Corporation of the Village of Stouffville; By-laws Nos. 8 and 12 of the Corporation of the Village of Courtright; By-laws Nos. 6 and 7 of 1923 of the Corporation of the Village of Clifford; By-law No. 146 of the Corporation of the Village of Victoria Harbor; By-laws Nos. 593, 710, 725 and 729 of the Corporation of the Village of Paisley; By-laws Nos. 128, 129, 137 and 142 of the Corporation of the Village of Wheatley; By-laws Nos. 5 and 6 of the Corporation of the Village of Brussels; By-laws Nos. 60 and 61 of the Corporation of the Village of Jarvis; By-laws Nos. 302 and 303 of the Corporation of the Village of Sutton; By-laws No. 4 of 1921 and 9 of 1923 of the Corporation of the Village of Blyth; By-law No. 658 of the Corporation of the Village of Fergus; By-laws Nos. 787 and 788 of the Corporation of the Township of Percy; By-law No. 928 of the Corporation of the Township of Delaware; By-law No. 30 of 1923 of the Corporation of the Township of Sombra; By-law No. 719 of the Corporation of the Township of Mosa; By-law No. 883 of the Corporation of the Township of Southwold; By-law No. 522 of the Corporation of the Township of Chinguacousy; By-law No. 422 of the Corporation of the Township of King; By-law No. 824 of the Corporation of the Township of Williamsburg; By-law No. 594 of the Corporation of the Township of Niagara; By-law No. 222 of the Corporation of the Township of Mersea; By-law No. 910 of the Corporation of the Township of Flos; By-law No. 391 of the Corporation of the Township of Middleton; By-law No. 494 of the Corporation of the Township of Kenyon; By-law No. 557 of the Corporation of the Township of Glanford; By-law No. 845 of the Corporation of the Township of

By-laws confirmed.

Darlington; By-law No. 516 of the Corporation of the Township of Sunnidale; By-law No. 1076 of the Corporation of the Township of Malahide; By-law No. 10 of 1923 of the Corporation of the Township of Tilbury East; By-law No. 8 of 1923 of the Corporation of the Township of Sarnia; By-law No. 657 of the Corporation of the Township of South Dumfries; By-law No. 548 of the Corporation of the Township of Eldon; By-law No. 849 of the Corporation of the Township of Wellesley; By-law No. 923 of the Corporation of the Township of Murray; By-law No. 1335 of the Corporation of the Township of Barton; By-laws Nos. 281, 282, 283, 291, 293, 300 and 315 of the Corporation of the Township of Trafalgar; By-laws Nos. 62, 63, 66, 67, 77 and 79 of the Corporation of the Township of North York; By-law No. 7376 of the Corporation of the Township of York; By-law No. 486 of the Corporation of the Town of Mimico; By-law No. 11 of 1923 of the Corporation of the Town of Dunnville; By-laws Nos. 3058, 3059, 3060, 3195, 3196, 3197, 3198, 3199 and 3210 of the Corporation of the City of Windsor; By-law No. 228 of the Corporation of the Village of Port Dover; By-law No. 527 of the Corporation of the Village of Fort Erie; By-law No. 1114 of the Corporation of the Town of Leamington; By-law No. 529 of the Corporation of the Town of Kingsville; and By-law No. 707 of the Corporation of the Town of Essex; and all debentures issued or to be issued or purporting to be issued, under any of the said by-laws which authorize the issue of debentures, are confirmed and declared to be legal, valid and binding upon such corporations and the ratepayers thereof, respectively, and shall not be open to question upon any grounds whatsoever, notwithstanding the requirements of *The Power Commission Act*, or the amendments thereto, or any other Act of this Legislature.

Commence-  
ment of Act

**21.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 24.

## An Act respecting The Hydro-Electric Power Commission of Ontario and certain Companies and Corporations.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Power Commission and Companies Transfer Act, 1924.* Short title.

**2.** The Electrical Development Company of Ontario, Limited, The Hydro-Electric Power Commission of Ontario (hereinafter called "the Commission"), National Trust Company, Limited, The Toronto Power Company, Limited, and His Majesty the King, represented by the Lieutenant-Governor of the Province of Ontario acting by the Honourable G. Howard Ferguson, Prime Minister of the said Province, are authorized and empowered to execute the agreement set out in the schedule to this Act and upon the execution and delivery thereof the said agreement shall be legal, valid and binding upon the parties thereto and upon the *cestuis que trustent* under certain indentures of mortgage recited in the said agreement in the same manner and to the same extent as if the terms of the said agreement had been set out and enacted in the body of this Act, and the parties to the said agreement are respectively authorized and empowered to execute all instruments and to do and provide for all matters necessary and expedient to be done and provided for to give effect to the said agreement according to the true intent and meaning thereof. Companies authorized to contract with Commission for transfer of assets.

**3.** Upon the execution and delivery of the said agreement all the properties, rights, assets and franchises of The Electrical Development Company of Ontario, Limited, shall be vested in the Commission but subject to the terms, covenants, agreements, provisoes and conditions referred to or set out in the said agreement and subject to the indenture of mortgage dated the 1st day of March, 1903, recited in the said agree- Effect of transfer.

ment, and to the bonds secured by the said indenture of mortgage, and to all rights by the said indenture of mortgage and the said bonds reserved, and subject to the due observance, fulfilment and performance by the Commission of all covenants, agreements, provisoes, and conditions in the said indenture to be kept, observed and performed by the said The Electrical Development Company of Ontario, Limited.

Authority  
to contract  
with Ontario  
Power Co.  
and Trans-  
mission Co.  
for trans-  
fer of  
assets.

4. The Commission is authorized and empowered to make with the Ontario Power Company of Niagara Falls and The Ontario Transmission Company, Limited, named in a certain agreement dated the 12th day of April, 1917, set out in Schedule "U" to *The Power Commission Act, 1918*, a contract or contracts for the sale and transfer to the Commission of all the properties, rights, assets and franchises of the said companies, and every such sale and transfer shall be legal, valid and binding upon the parties thereto and upon the *cestuis que trustent* under an indenture of mortgage dated the 2nd day of February, 1903, given by the Ontario Power Company of Niagara Falls to secure an issue of bonds of the said company, and under certain indentures of mortgage and agreements dated respectively, the 16th day of August, 1905, the 20th day of April, 1910, the 11th day of June, 1910, and the 31st day of October, 1914, given or entered into by The Ontario Transmission Company, Limited, to secure an issue of bonds of that Company, and shall not constitute a breach of any covenant contained in such indentures and agreements nor cancel, annul or affect in any manner any contract entered into or any franchise or right held by either of the said companies prior to such sale or transfer, but every such sale or transfer shall be subject to such indentures and agreements and to the bonds secured thereby and to all rights by such indentures, agreements and bonds reserved.

Duties of  
Commission  
after  
entering  
into con-  
tract.

5. From and after the making of any contract or contracts for sale and transfer under section 4 of this Act, the Commission shall duly observe, fulfil and perform, and all present and future property of the Commission shall be subject to and charged with the due observance, fulfilment and performance of all agreements, covenants, provisoes, conditions, terms and obligations to be observed, fulfilled and performed by the Ontario Power Company of Niagara Falls and The Ontario Transmission Company, Limited, or either of them, or for the observance, fulfilment and performance of which the Ontario Power Company of Niagara Falls and The Ontario Transmission Company, Limited, are, or shall be, or either of them is, or shall be liable under any and every indenture, agreement, contract or franchise which has been or shall be prior to any such contract or contracts for sale and transfer entered into or held by said companies or either of

them, and every other party to any such indenture, agreement, contract or franchise shall have the same rights and remedies against the Commission, and its property, under and in respect thereof, including the right to enforce observance, fulfilment and performance thereof, and the right to recover damages for any failure in such observance, fulfilment and performance as such party has or at any time shall have, or but for such sale and transfer would have against said companies or either of them, or the property of said companies or either of them, and all such rights and remedies shall be enforceable against the Commission and its property by action or proceeding in any court of competent jurisdiction without fiat or consent.

6. No sale and transfer under any contract made under section 4 of this Act shall invalidate, impair, modify or affect any of the guarantees contained in the agreement set out in Schedule "U" to *The Power Commission Act, 1918*, or in any agreement entered into pursuant thereto, but notwithstanding any such sale and transfer, all of said guarantees shall remain in full force and effect.

Sale not to  
invalidate  
guarantees.

7. After any sale and transfer under the provisions of section 4 of this Act, the sinking fund payments under the above-mentioned indenture made by the Ontario Power Company of Niagara Falls, dated the 2nd day of February, 1903, shall under any and all circumstances and without any necessary relation to the amount of power actually sold by the said company and paid for by the purchasers amount to not less than the sum of \$125,000 in each year and shall be paid by the Commission on the 1st day of July in each year during the currency of the bonds by said indenture secured.

Amount of  
sinking fund  
payments.

8. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.

## SCHEDULE "A".

Agreement made as of the twenty-fifth day of March, 1924.

Between:

THE ELECTRICAL DEVELOPMENT COMPANY OF ONTARIO  
LIMITED,  
hereinafter called "The Development Company,"

of the first part;

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO,  
hereinafter called "the Commission,"

of the second part;

NATIONAL TRUST COMPANY LIMITED,  
Trustee for the bondholders of the Development Company  
under Indenture of Mortgage dated 1st March, 1903,  
hereinafter called "The Trustee,"

of the third part;

THE TORONTO POWER COMPANY LIMITED,  
hereinafter called "the Toronto Company,"

of the fourth part;

--and--

HIS MAJESTY THE KING,  
herein represented by the Lieutenant-Governor in  
Council of the Province of Ontario, acting by The  
Honourable G. Howard Ferguson, Premier of the said  
Province, hereinafter called "the Guarantor,"

of the fifth part.

Whereas the Toronto and Niagara Power Company (hereinafter called "the Niagara Company") was incorporated by Special Act of the Parliament of Canada, 2 Edward VII, Cap. 107, and thereafter constructed and operated transmission lines from Niagara Falls, Ontario, to the City of Toronto and elsewhere;

And whereas the Niagara Company made an issue of first mortgage bonds to the par value of \$1,500,000 secured by a mortgage dated 1st March, 1903, on the said transmission lines and upon its undertaking generally, to National Trust Company Limited, Trustee;

And whereas all of the said bonds were and all of the shares in the capital stock of the Niagara Company are owned by the Development Company;

And whereas the Development Company pledged the said bonds and shares to the Trustee along with its own works, plant and undertaking to secure an issue of First Mortgage 5% bonds of \$10,000,000 by Indenture of Mortgage dated 1st March, 1903 (hereinafter referred to as "the said Indenture") of which bonds there are outstanding at the date of this agreement bonds to the par value of \$9,079,500 of which \$5,014,000 are held by the Toronto Company;

And whereas by agreement dated the 11th day of March, 1919, the Toronto Electric Light Company (hereinafter called "the Electric Company") sold and conveyed to the Niagara Company all its assets consisting *inter alia* of a distribution system in the City of Toronto for the sum of \$8,212,100, the Niagara Company as part of such consideration assuming the payment of two issues of bonds of the Electric Company secured on the said assets for \$1,000,000 of first mortgage bonds and for \$3,000,000 of second mortgage bonds respectively, the balance of the purchase price of \$4,212,100 being represented by the Niagara Company's promissory note, the Electric Company reserving a vendor's lien in respect of such balance;

and

And whereas certain of the assets so purchased by the Niagara Company, consisting of a distribution system in the City of Toronto, were subsequently by agreement dated 20th December, 1921, sold to the corporation of the City of Toronto, subject to the said bonds of the Niagara Company and the mortgage securing the same, to the said bonds of the Electric Company and the mortgages securing the same and subject also to the vendor's lien securing to the Electric Company the balance of \$4,212,100, aforesaid;

And whereas the said sale was in the interests of the Niagara Company and of the Development Company as owner of the share capital of the Niagara Company, and before or contemporaneously with the delivery of this agreement the mortgages securing the said bonds of the Electric Company, the said bonds and the said vendor's lien have all been discharged and cancelled;

And whereas the Niagara Company has before or contemporaneously with the delivery of this agreement, sold and assigned all its plant and physical assets, including the said transmission lines to the Development Company, the latter by the instrument of transfer subjecting such assets to the charge of the said Indenture in favour of the Trustee and to the bonds secured thereby;

And whereas the Trustee has before or contemporaneously with the delivery of this agreement, cancelled said \$1,500,000 of bonds of the Niagara Company and executed a discharge to the Niagara Company of the mortgage securing the same, retaining as part of the mortgaged premises under the said Indenture all of the shares in the capital stock of the Niagara Company;

And whereas the Development Company is the owner of works for the generation of electric power at Niagara Falls, Ontario, and certain franchises, rights and other real and personal property including the said property and transmission lines acquired from the Niagara Company as well as all of the shares in the capital stock of The Toronto and Niagara Power Company as aforesaid, all of the said assets being hereinafter collectively referred to as "the said properties";

And whereas the Toronto Company owns all of the shares in the capital stock of the Development Company and the Commission owns all of the shares in the capital stock of the Toronto Company;

And whereas it is desirable for the more economic and convenient operation of the undertaking of the Commission that there be transferred to the Commission all of the said properties, subject to the said outstanding issue of bonds of the Development Company and to the said Indenture securing the same;

And whereas the Development Company and the Toronto Company have agreed to the said transfer;

And whereas the Trustee has been requested to consent to the said transfer and has agreed to do so in consideration of the making of this agreement:

Now this Agreement witnesseth as follows:

1. The sale by the Niagara Company to the corporation of the City of Toronto of such distribution system, the conveyance of its said other assets to the Development Company, and the cancellation by the Trustee of the bonds of the Niagara Company, as hereinbefore recited, are ratified and confirmed.

2. The Development Company hereby grants, bargains, sells, assigns, transfers, and sets over unto the Commission all the said properties, subject, however, to the said Indenture and to the bonds therein referred to and secured thereby and to all rights by the said Indenture and said bonds reserved, of which bonds there are outstanding at the date of this agreement bonds to the par value of \$9,079,500, and subject to the due observance, fulfilment and performance by the Commission of all of the covenants, agreements, provisos and conditions in the said Indenture to be kept.



observed and performed by the Development Company. The sale of the said properties shall not cause or be held to be a breach of the covenant of the Development Company in the said Indenture contained to carry on and conduct its business.

3. The Commission covenants with the Trustee that subject as aforesaid the Commission will itself duly keep, observe, fulfill and perform all of the covenants, agreements and conditions in the said Indenture contained, to be by the Development Company kept, observed, fulfilled and performed.

4. The Toronto Company hereby consents to the said transfer and agrees with the Trustee that on any distribution to bondholders of the proceeds of realization which the Trustee may make under the terms of the said Indenture, (other than through the operation of the sinking fund), the Toronto Company, or other holders for the time being of the said \$5,014,000 of Development Company bonds, shall not be entitled to receive from the Trustee any payment on account of the amount owing on the said bonds (other than through the operation of the said sinking fund) until the holders for the time being of the remaining bonds of the said issue amounting at this date to \$4,065,500 par value shall have first been paid and satisfied in full, the intent being that the mortgaged premises under the said Indenture shall stand as a first security for the repayment of the said \$4,065,500 of bonds in preference to and with priority over the remaining bonds of the said issue now held by the Toronto Company. And the Development Company and the Commission jointly and severally covenant and agree with the Trustee and with the holders for the time being of the said \$4,065,500 of bonds of the Development Company, that they will not nor will either of them pay or discharge (otherwise than through the operation of the sinking fund) any portion of the said \$5,014,000 of Development Company bonds now held by the Toronto Company until after payment and satisfaction in full has been made of the \$4,065,500 of Development Company bonds above referred to, and the Toronto Company covenants with the Trustee and with the holders for the time being of the said \$4,065,500 of bonds of the Development Company, that it will not at any time subsequent to the date of the agreement nor will any subsequent holders taking title through it, ask for, demand or receive payment of the said \$5,014,000 of Development Company bonds or any part thereof now held by it (save through the operation of the said sinking fund) until after payment and satisfaction in full has been made of the said \$4,065,500 of Development Company bonds as aforesaid.

Expressly reserving, however, to the Toronto Company or other the holders for the time being of the said \$5,014,000 of bonds, in all other respects equally with the holders of the remaining bonds of the said issue, all rights and powers possessed by it or them respectively as the holder or holders of the said bonds, including the exercise of any right or power which under the terms of the said Indenture may be exercised by bondholders. Contemporaneously with the delivery of this agreement the Toronto Company shall produce to the Trustee all of the said \$5,014,000 of bonds for the purpose of being stamped with a notice substantially in the following form, i.e.:

By virtue of the Statutes of Ontario, 1924, Chapter 24 and of the agreement therein referred to neither the bearer nor registered holder, as the case may be, of this or any other bonds of the issue of which it and they form part, bearing this stamp, is entitled in the event of realization by the Trustee of the security of any part thereof provided by the Indenture of Mortgage within referred to or otherwise (except through the operation of the sinking fund) to receive any of the proceeds of such realization, nor can the Company pay nor the bearers or registered holders of this or such other bonds bearing this stamp receive payment otherwise of any of the moneys secured thereby until the principal and interest on all of the other bonds of the said issue not bearing this stamp have first been fully paid and satisfied.

NATIONAL TRUST COMPANY LIMITED,  
*Trustee.*



5. The Commission hereby guarantees to the Trustee and to the respective holders thereof for the time being, the due payment by the Development Company, as the same become due, of the principal of and interest on all of the said bonds of the Development Company secured by the said Indenture outstanding at the date of this agreement other than those held by the Toronto Company so stamped as aforesaid, the par value of the said bonds to which this guarantee extends being the sum of \$4,065,500.

6. The Guarantor covenants with and guarantees to the Trustees and with and to the respective holders for the time being of the bonds of the Development Company to which the next preceding paragraph number five applies, that the Commission will duly keep, observe and perform its covenant and guarantee for payment in the said next preceding paragraph number five contained.

7. The Commission and the Development Company jointly and severally covenant and agree with the Trustee that the annual sinking fund payment to be made by the Development Company to the Trustee under the provisions of paragraph Thirty of the said Indenture, shall under any circumstances and without any necessary relation to the amount of power actually sold by the Development Company and paid for by the purchasers, amount to not less than the sum of \$90,000.00.

8. Wherever the Trustee is mentioned or referred to in this agreement such mention or reference shall, where the context admits, extend to and include the successors in the trust of the said Trustee.

In witness whereof this agreement has been executed by the parties hereto under their respective corporate seals and the hands of their proper officers in that behalf.

SIGNED, SEALED AND DELIVERED

in the presence of:

## CHAPTER 25.

An Act to amend The Rural Hydro-Electric  
Distribution Act, 1921.*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Rural Hydro-Electric Distribution Act, 1924*.

1921, c. 21,  
s. 4,  
amended.

**2.** Section 4 of *The Rural Hydro-Electric Distribution Act, 1921*, is amended by striking out the word "zone" in the last line but one and inserting in lieu thereof the word "district," and by inserting after the word "cables" in the last line but one, the words "service transformers and meters, and secondary lines on the highway" so that the section will now read as follows:

Where power  
supplied to  
rural power  
districts.

**4.** Where power is supplied to a rural power district under the provisions of *The Power Commission Act* and amendments thereto, there may be paid to the municipality or commission distributing the power in such rural power district upon the recommendation of The Hydro-Electric Power Commission of Ontario and the order of the Lieutenant-Governor in Council, a sum not exceeding fifty per centum of the capital cost of constructing and erecting in the rural power district primary transmission lines and cables, service transformers and meters, and secondary lines on the highway required for the delivery of power in such rural power district.

1921, c. 21,  
s. 4a, (1923,  
c. 13, s. 2),  
amended.

**3.** Section 4a of *The Rural Hydro-Electric Distribution Act, 1921*, as enacted by section 2 of *The Rural Hydro-Electric Distribution Act, 1923*, is amended by inserting after the word "cables" in the last line but two the words "service transformers and meters, and secondary lines on the highway" so that the section will now read as follows:

4a. Where the corporation of a township or of an urban municipality supplies or distributes electrical power or energy in an adjoining township or within any such rural power district under the provisions of section 24 of *The Public Utilities Act*, or under any other general or special Act, there may be paid to such corporation upon the recommendation of The Hydro-Electric Power Commission of Ontario and the order of the Lieutenant-Governor in Council, a sum not exceeding fifty per centum of the capital cost of constructing and erecting in such adjoining township or rural power district, primary transmission lines and cables, service transformers and meters, and secondary lines on the highway required for the delivery of power or energy in such adjoining township or any such rural power district.

Payment of grant where municipality is distributor of power.

4. The payments and allowances authorized by section 4 of *The Rural Hydro-Electric Distribution Act, 1921*, as amended by section 2 of this Act, and authorized by section 4a of the said *The Rural Hydro-Electric Distribution Act, 1921*, as enacted by section 2 of *The Rural Hydro-Electric Distribution Act, 1922*, and re-enacted by section 2 of *The Rural Hydro-Electric Distribution Act, 1923*, and amended by section 3 of this Act, may be made in respect of works constructed before or since the 1st day of June, 1921, and the said payments and allowances and the appropriations made at the present Session of the Legislature in aid of the construction of primary transmission lines in rural power districts and townships shall extend to and include the construction and erection of service transformers and meters, and secondary lines on highways as provided for in *The Rural Hydro-Electric Distribution Act* as amended by this Act.

Payments may be retroactive.  
Appropriations 1923-1924 to extend to secondary lines, etc.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act.

## CHAPTER 26.

An Act respecting The Hydro-Electric Railway  
Act, 1919, and the contract set out  
in Schedule "A" to said Act.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**Short title**      **1.** This Act may be cited as *The Hydro-Electric Railway Act, 1924.*

**Auditor to certify as to expenses of H.E. Ry. from Port Credit to St. Catharines.**      **2.** The auditor of The Hydro-Electric Power Commission of Ontario, upon the request in writing of the corporation of any of the townships of East Flamboro', North Grimsby and Barton, or of the corporation of the City of Hamilton shall fix and determine the total cost to the Commission, including interest charges, of all work and expenses incurred in connection with and properly chargeable to the railway from Port Credit to St. Catharines provided for in the contract set out in schedule "A" to *The Hydro-Electric Railway Act, 1919*, and shall certify the same to such municipal corporation, and upon payment or tender of the proper proportion of the amount so determined and certified, the Commission shall return to such municipal corporation the debentures issued by it and deposited with the Commission pursuant to the clause lettered *b* in the paragraph numbered 2 in the said contract, and to any resolution passed by the council of the municipal corporation under section 4 of *The Hydro-Electric Railway Act, 1919*.

**Return of bonds to certain municipalities.**

**Proceeds of sales by Commission to be distributed to municipalities.**      **3.** All moneys received by the Commission from the sale or other disposal of any real or personal property acquired by it for the purposes of the said railway shall be held by the Commission in trust for the municipal corporations parties to the said contract and shall be distributed among them in the same proportion as that in which they undertook to contribute under the said contract or under such resolution to the cost of the said railway at such times and in such manner as the Lieutenant-Governor in Council may direct.

**Commencement of Act.**      **4.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 27.

## An Act respecting Highways.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Highway Laws Amendment Act, 1924*. Short title.

**2.** Section 11 of *The Ontario Highways Act, 1915*, as <sup>1915, c. 17,</sup> amended by section 2 of *The Ontario Highways Amendment Act, 1916*, section 4 of *The Ontario Highways Amendment Act, 1919*, and section 3 of *The Ontario Highways Act, 1920*, is repealed and the following substituted therefor:— s. 11, repealed.

## TOWNSHIP ROAD SUPERINTENDENTS.

- 11.—(1) The council of any township municipality in which statute labour has been abolished by by-law shall by by-law, appoint a township road superintendent who, subject to the direction of the council, shall lay out and supervise all work and inspect all roads within the exclusive jurisdiction of the township council, and the Minister may direct that out of The Highway Improvement Fund fifty per centum of the salary and expenses of such superintendent paid by the township shall be reimbursed by the Province. Township road superintendent, appointment and salary.
- (2) A copy of the by-law of the municipality making such appointment shall be transmitted to the Department within thirty days of the passing thereof, and shall be in such form as the Minister may approve. By-law for appointment.
- (3) The superintendent appointed under this section shall conform to such general regulations as the Department may prescribe. Superintendent to obey regulations.

Annual  
statement  
to Depart-  
ment.

- (4) The council of any township in which statute labour has been abolished by by-law may annually submit to the Department a statement showing the amount of salary or wages so paid under this section, together with the declaration of the treasurer that such statement is correct and also the declaration of the superintendent that he has *bona fide* performed the duties of superintendent, and on receipt of such statement and certificates, certified by the proper officer of the Department, the Minister may direct the Treasurer of the Province of Ontario to pay to the corporation of such municipality the amount to which the municipality may be entitled under this Act.

Term of  
employ-  
ment, not  
continuous.

- (5) The term for which the said superintendent shall be employed need not be continuous, but may be at the pleasure of the council, and for such time or times as he is actually engaged on the work, or in the discharge of the duties assigned to him.

1915, c. 17,  
s. 11a (1922,  
c. 28, s. 2)  
repealed.

**3.** Section 11a of *The Ontario Highways Act, 1915*, as enacted by section 2 of *The Ontario Highways Amendment Act, 1922*, is repealed and the following substituted therefor:—

Application  
for gravel  
for township  
roads.

- 11a.—(1) Notwithstanding anything contained in *The Consolidated Municipal Act, 1922*, the council of a township may by by-law authorize the reeve or superintendent of the township to apply to the owner of any gravel land or gravel pit in the township for gravel for township purposes.

Price to be  
stated.

- (2) The reeve or superintendent of the township shall state in his application the price per cubic yard or per acre of such amount of gravel as may be required.

Order of  
county  
judge.

- (3) If the owner does not within three days after receiving such application agree with the reeve or superintendent of the township to sell the gravel and as to the price at which the same shall be sold, the reeve or superintendent of the township may, upon seven days' notice in writing to the owner, apply to the county judge in the county in which the gravel is situate, for an order fixing the price to be paid for the gravel, and the judge upon such application and upon hearing such evidence as he deems necessary may fix the price per cubic yard or per acre to be paid for the gravel and may order and direct, that upon payment or tendering of the price so fixed, the reeve or superintendent of the township by his servants or agents may enter upon the lands of the owner and take the gravel so required.

(4)

- (4) *The Judges' Orders Enforcement Act* shall apply to any application or order made under this Act. Application of Rev. Stat. c. 79.
- (5) There shall be an appeal from the order of the judge of the county court to the Appellate Division of the Supreme Court whose decision shall be final. Appeal.

4.—(1) Subsection 1 of section 37c of *The Ontario Highways Act, 1915*, as enacted by section 9 of *The Ontario Highways Amendment Act, 1919*, is repealed and the following substituted therefor:— 1915, c. 17, s. 37c, subs. 1 (1919, c. 19, s. 9) repealed.

- (1) The council of a local municipality may construct or put down a sidewalk or other improvement or service on a county road, provincial highway or a road or highway under the control of a board, special commission, suburban road commission or other authority, but no such work shall be undertaken by a municipal corporation or any individual or company without first obtaining the written consent of the county council, Department of Public Highways, board, special commission, suburban road commission or other authority having control of the said road or highway. Local municipalities may construct sidewalks, etc.

- (2) Subsection 3 of the said section 37c is amended by adding after the word "sidewalk" in the first line, the words "or other improvements or service." 1915, c. 17, s. 37c subs. 3 (1919, c. 19, s. 9) amended.

5. Section 37d of *The Ontario Highways Act, 1915*, as enacted by section 9 of *The Ontario Highways Act, 1920*, is amended by inserting after the word "township" in the first line the words "which has abolished statute labour and". 1915, c. 17, s. 37d (1920, c. 22, s. 9) amended.

6. Section 37e of *The Ontario Highways Act, 1915*, as enacted by section 9 of *The Ontario Highways Act, 1920*, is amended by striking out the word "twenty" in the ninth line and inserting in lieu thereof the words "thirty." 1915, c. 17, s. 37e (1920, c. 22, s. 9) amended.

7. The clause lettered d in section 37f of *The Ontario Highways Act, 1915*, as enacted by section 9 of *The Ontario Highways Act, 1920*, is amended by striking out the words "reeve or" in the first line. 1915, c. 17, s. 37f cl. d, (1920, c. 22, s. 9) amended.

8. *The Ontario Highways Act, 1915*, is amended by adding thereto the following section:— 1915, c. 17, amended.

37k. No grant shall be made to any township under this Act until section 11 as enacted by *The Highway Laws Amendment Act, 1924*, has been complied with. Conditions of grant.

1915, c. 16, s. 3, subs. 3, amended. **9.**—(1) Subsection 3 of section 3 of *The Highway Improvement Act, 1915*, as enacted by section 58 of *The Statute Law Amendment Act, 1917*, is amended by adding after the word “yard” in the second line the words “or per acre,” so that the subsection will now read as follows:—

Application to state price offered.

- (3) The engineer or road superintendent shall state in his application the price per cubic yard or per acre of such amount of gravel as he may require.

1915, c. 16, s. 3, subs. 4, amended.

(2) Subsection 4 of the said section 3 as enacted by section 58 of *The Statute Law Amendment Act, 1917*, is amended by inserting the words “or the land” after the word “gravel” in the third, eighth, ninth and twelfth lines, and by inserting the words “or per acre” after the word “yard” in the twelfth line, so that the subsection will now read as follows:—

Application to county judge to fix price.

- (4) If the owner does not, within three days after receiving such application, agree with the engineer or road superintendent to sell the gravel or the land, and as to the price at which the same shall be sold, the engineer or road superintendent may, upon seven days' notice in writing to the owner, apply to the county judge in the county in which the gravel or the land is situate, for an order fixing the price to be paid for the gravel or the land, and the judge upon such application and upon hearing such evidence as he deems necessary, may fix the price per cubic yard or per acre to be paid for the gravel or the land and may order and direct that upon the payment or tendering of the price so fixed, the engineer or road superintendent, by his servants or agents, may enter upon the lands of the owner and take the gravel so required.

Rev. Stat., c. 40, amended.

**10.** *The Highway Improvement Act* is amended by adding thereto the following section:—

Cost of bridges.

32. The council of a county while carrying on work under this Act may by by-law assume:

(a) any bridge of 80 feet in span or over, or of such less span than 80 feet as may be approved by the Minister, on a boundary line, or any road used in lieu thereof, between local municipalities in the county, or on county boundary lines, or any road used in lieu thereof, other than bridges in cities or separated towns;

(b)



- (b) any bridge over 100 feet in span within the limits of a village in the county where the bridge forms part of a main highway leading through the county;
- (c) any bridge within a local municipality of a county that has been declared a county bridge in accordance with section 449 of *The Consolidated Municipal Act, 1922*, as may be approved by the Minister; <sup>1922, c. 72.</sup>

and when the by-law has been approved by the Minister, expenditure thereunder or such portion thereof as the Minister may determine shall be deemed to form part of the expenditure in carrying out a plan of highway improvement within the county, and the Minister may direct the payment to the corporation of the county out of the Fund set apart under this Act of a sum equal to forty per centum of the amount of such expenditure.

**11.** Section 17 of *The Toronto and Hamilton Highway Commission Act*, as amended by section 7 of *The Toronto and Hamilton Highway Commission Act, 1917*, section 9 of the Act passed in the year 1918, chaptered 18, and by the schedule to *The Magistrates' Act, 1922*, is further amended by adding thereto the following subsection:— <sup>1915, c. 18, s. 17, amended.</sup>

- (4) All fines and penalties recovered for offences committed on the highway against this Act, *The Motor Vehicles Act*, *The Load of Vehicles Act*, *The Highway Traffic Act, 1923*, or any amendments thereto, or any regulations made under any of the said Acts, shall be paid over to the Commission notwithstanding anything contained in any statute or regulation, and this amendment shall be in full force and effect as of and from the 13th day of June, 1922. <sup>Fines and penalties payable to Commission.</sup>

**12.** *The Toronto and Hamilton Highway Commission Act* <sup>1915, c. 18, amended</sup> is amended by adding thereto the following section:—

- 34. To remove doubts it is declared that the Toronto and Hamilton Highway Commission with respect to such highway has like jurisdiction, powers and authority as is vested in the Minister of Public Works and Highways and The Department of Highways under *The Provincial Highway Act* anything in the Acts respecting the Toronto and Hamilton Highway Commission notwithstanding. <sup>Jurisdiction.</sup>

1917, c. 16,  
s. 12,  
repealed.

**13.** Subsection 2 of section 12 of *The Provincial Highway Act* is repealed and the following substituted therefor:—

Cost to be  
borne by  
Province.

- (2) The cost of preliminary location surveys, the initial cost of machinery, plant and equipment and the salaries and other overhead expenses of the Department at the head office at Toronto, shall not be included in such statement to the municipality, but shall be borne entirely by Ontario.

Commence-  
ment of Act.

**14.**—(1) Subject to the provisions of subsection 2, this Act shall come into force on the day upon which it receives the Royal Assent.

Com-  
mencement  
of ss. 2, 5,  
6, 7, 8.

- (2) Sections 2, 5, 6, 7 and 8 shall come into force on the 1st day of January, 1925.

## CHAPTER 28.

An Act to amend The Ontario  
Highways Act.*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Ontario Highways Act, 1924*. Short title.
2. *The Ontario Highways Act, 1915*, is amended by adding <sup>1915, c 17</sup> thereto the following sections:
  - 8a.—(1) The Lieutenant-Governor in Council may <sup>Highway</sup> appoint from among the members of the Assembly <sup>Committee,</sup> a committee of three persons, who shall be known <sup>appoint-</sup> as the "Highway Committee."
  - (2) It shall be the duty of the Highway Committee <sup>Duties of</sup> whenever requested so to do to consult with the <sup>Committee</sup> Minister as to the administration of any Act of the Legislature respecting the construction, maintenance and operation of highways by municipal corporations or by the Province and to assist him by their recommendations and suggestions for improvements and amendments in the said Acts and the administration of the same.
  - (3) The Committee at the request of the Minister shall <sup>Committee</sup> personally visit and inspect any highway or any <sup>to visit</sup> district through which it is proposed to construct, <sup>and inspect</sup> improve or extend any highway under any of the <sup>highways.</sup> said Acts.
  - (4) The Minister and Deputy Minister shall be *ex officio* <sup>Minister</sup> members of the Committee and the Minister, or in <sup>and Deputy</sup> his absence the Deputy Minister, shall preside at all <sup>Minister</sup> meetings of the Committee. <sup>to be</sup> <sup>members of</sup> <sup>committee</sup>
- 8b. The members of the Committee shall serve without <sup>Travelling</sup> remuneration, but an allowance of \$15 per diem to <sup>and living</sup> expenses.

cover living and travelling expenses while absent from home in the performance of the duties of the Committee shall be paid to each of the members of the Assembly serving on the Committee and the receipt of such allowance shall not vacate the seat of any such member nor disqualify him or render him ineligible to sit and vote as a member of the Assembly, anything in *The Legislative Assembly Act* to the contrary notwithstanding.

Rev. Stat.,  
c. 11.

1915, c. 17,  
amended.

**3.** (1) *The Ontario Highways Act, 1915*, is amended by adding thereto the following section:

Member of  
municipal  
council  
not eligible  
as member  
of  
commission.

17a. Notwithstanding anything contained in *The Consolidated Municipal Act, 1922*, or in any other general or special Act of this Legislature, or in any municipal by-law, a person who is a member of a municipal council shall not be a member of any commission appointed under section 17 of this Act or the amendments thereto.

Commence-  
ment of  
section.

(2) This section shall come into force on the 1st day of January, 1925.

Commence-  
ment of Act.

**4.** Except as herein otherwise provided this Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 29.

## An Act to amend The Agricultural Societies Act.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Agricultural Societies Act, 1924.* Short title.

**2.** Section 6 of *The Agricultural Societies Act* is amended by adding thereto the following subsection: Rev. Stat. c. 47, s. 6, amended.

(9) Notwithstanding anything contained in this Act, the society known as "The Smith's Falls Agricultural Society" is hereby declared to be an agricultural society and to have all the rights and privileges of an agricultural society under this Act. Smith's Falls Agricultural Society.

**3.** Subsection 1 of section 13 of *The Agricultural Societies Act* is repealed and the following substituted therefor: Rev. Stat. c. 47, s. 13, subs. 1, repealed.

(1) The annual meeting of each society shall be held between the 1st and 21st days, inclusive, of January in each year at the headquarters of the society and at an hour to be fixed by the directors of the society. Annual meeting.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 30.

## An Act to amend The Judicature Act.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Judicature Act, 1924.*

Supreme Court of Ontario.      **2.**—(1) The Supreme Court of Ontario shall consist of nineteen Judges to be appointed as provided by *The British North America Act.*

Judges of Supreme Court.      (2) The Judges of the Supreme Court appointed after the coming into force of this Act shall be appointed and known as Judges of the Supreme Court of Ontario and shall be assigned to the Appellate Division and High Court Division respectively as hereinafter provided.

High Court Division.      (3) The Judges who at the time of the coming into force of this Act are Judges of the High Court Division shall during their tenure of office as Judges of the Supreme Court be assigned to the High Court Division unless and until assigned to the Appellate Division as hereinafter provided.

First and Second Divisional Courts.      (4) The Judges who at the time of the coming into force of this Act constitute the First Divisional Court and the Second Divisional Court respectively of the Appellate Division shall during their tenure of office as Judges of the Supreme Court be assigned to the Appellate Division of the Supreme Court of Ontario to be constituted as hereinafter provided, but no other Judge of the Supreme Court shall be assigned to the Appellate Division until there are not more than seven Judges of the said Division so assigned.

Jurisdiction of Appellate Division.      (5) The jurisdiction which prior to the coming into force of this Act was vested in the Appellate Division and the Divisional Courts thereof shall be exercised by the Appellate Division of the Supreme Court to which, subject to the provisions of subsection 4, eight Judges of the Supreme Court shall be assigned by the Lieutenant-Governor in Council and

the

the Judges so assigned shall constitute the Appellate Division of the Supreme Court. The said Judges shall be known as Justices of Appeal and one of them to be designated by the Lieutenant-Governor in Council shall be the President of the Appellate Division and shall be called Chief Justice of Ontario.

(6) Except as provided by the next preceding subsection all the jurisdiction vested in the Supreme Court shall be exercised by the High Court Division of the Supreme Court which shall consist of the Judges of the Supreme Court not assigned to the Appellate Division as aforesaid, and one of them to be designated by the Lieutenant-Governor in Council shall be President of the High Court Division and shall be called Chief Justice of the High Court Division.

Jurisdiction  
in High  
Court  
Division

(7) The jurisdiction exerciseable by the Appellate Division and the High Court Division respectively shall be exercised in the name of the Supreme Court.

Jurisdiction  
of Appellate  
Division and  
High Court  
Division,—  
how exer-  
cised.

3. Section 5 of *The Judicature Act* as re-enacted by section 2 of *The Judicature Act, 1923*, and section 6 of *The Judicature Act* as amended by sections 3 and 4 of *The Judicature Act, 1923*, are repealed.

Rev. Stat.  
c. 56, s. 5,  
(1923, c. 21,  
s. 2); s. 6,  
repealed.

4.—(1) The Judge holding the office of President of the Appellate Division and Chief Justice of Ontario at the date of the passing of this Act shall continue to hold that office and upon his retirement or death the office as now constituted shall cease and the Lieutenant-Governor in Council may designate one of the Justices of the Supreme Court to be President of the Appellate Division, who shall be called Chief Justice of Ontario.

President of  
Appellate  
Division  
and Chief  
Justice of  
Ontario.

(2) The Judge holding the office of President and Chief Justice of the High Court Division at the date of the passing of this Act shall continue to hold that office and upon his retirement or death the office as now constituted shall cease and the Lieutenant-Governor in Council may designate one of the Judges of the Supreme Court to be President of the High Court Division who shall be called Chief Justice of the High Court Division.

President  
and Chief  
Justice of  
High Court  
Division.

(3) In the event of a vacancy occurring among the Judges of the Appellate Division or among the Judges of the High Court Division after the enactment of this section and before the remaining sections of this Act shall come into force, the Division in which such vacancy occurs shall be deemed to be duly constituted and until the said last mentioned date shall consist of the remaining Judges of the said Division.

Vacancies.

Commence-  
ment of  
section.

(4) This section shall come into force on the day upon which this Act receives the Royal Assent.

Chief  
Justice of  
Ontario to  
be President  
of Supreme  
Court.

5.—(1) The Chief Justice of Ontario shall be President of the Supreme Court and shall have rank and precedence over all the other Judges.

Chief  
Justice of  
High  
Court,—  
rank of.

(2) The Chief Justice of the High Court Division shall have rank and precedence next after the Chief Justice of Ontario.

Precedence of  
other judges.

(3) The other Judges of the Supreme Court heretofore appointed and now holding office shall continue to have the same rank and precedence as at the time of the passing of this Act.

Judges here-  
after  
appointed.

(4) The Judges appointed to the Supreme Court after the coming into force of this Act shall have rank and precedence in the order of seniority of appointment as Judges of the Supreme Court.

Rev. Stat.  
c. 56, s. 7,  
repealed.

(5) Section 7 of *The Judicature Act* is repealed.

Rev. Stat.  
c. 56, s. 38,  
(1923, c. 21,  
s. 5); s. 39,  
repealed.

6. Section 38 of *The Judicature Act* as re-enacted by section 5 of *The Judicature Act, 1923*, section 39 of *The Judicature Act* as amended by sections 6 and 7 of *The Judicature Act, 1923*, and section 4 of *The Judicature Act* are repealed and the following substituted therefor:

Appeals  
to Appellate  
Division  
under Rev.  
Stat. c. 10.

38.—(1) Every appeal to the Appellate Division under *The Controverted Elections Act* and every cause or matter in which an appeal lies as of right to the Supreme Court of Canada shall be heard and disposed of by not less than five Judges.

Other  
appeals,—  
how heard.

(2) Save as provided in subsection 1, appeals shall be heard and disposed of by not less than three Judges.

Rev. Stat.  
c. 56, s. 42,  
repealed.

7. Section 42 of *The Judicature Act* is repealed and the following substituted therefor:

Sittings of  
Appellate  
Division.

42.—(1) There shall be at least monthly sittings of the Appellate Division except during vacation but nothing in this section shall prevent sittings being held during the long vacation.

When two  
sittings may  
be held con-  
currently.

(2) Two sittings of the Appellate Division may be held concurrently and shall be so held whenever necessary for the despatch of business.

Who shall  
preside at  
sittings.

(3) In the absence of the Chief Justice of Ontario, or when he is presiding at another sittings of the



Appellate Division, the Judge entitled to precedence over the other Judges present shall preside.

- 42a. The Chief Justice of Ontario, or in his absence or in the case of a vacancy in the office, the senior Justice of Appeal, shall assign the duties of the Justices of Appeal and the appeals and other matters to be heard and dealt with by them respectively.
- Assignment of duties to Judges in Appellate Division.

8. Wherever in *The Judicature Act* or in any other statute, or in any rule made under *The Judicature Act* or any other statute, a Divisional Court is referred to, such reference shall be read as a reference to the Appellate Division as constituted under this Act and the Divisional Courts as at present constituted shall be deemed to be abolished, but every appeal, application or other matter pending at the time of the coming into force of this Act in the Appellate Division or before a Divisional Court may be continued in and shall be heard and determined by the Appellate Division.

Reference to Divisional Court.

9. Save as herein otherwise provided this Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

Commencement of Act.

## CHAPTER 31.

## An Act to amend The Libel and Slander Act.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short  
title.

**1.** This Act may be cited as *The Libel and Slander Act, 1924.*

Rev. Stat.,  
c. 71, s. 19,  
subs. 1,  
amended.

**2.** Subsection 1 of section 19 of *The Libel and Slander Act*, is amended by striking out the word, "nominal" in the sixth line and by striking out all the words in the said subsection after the words, "special damage" in the sixth line, so that the subsection will now read as follows:—

Slander o.  
women

- (1) In an action for slander for defamatory words spoken of a woman imputing unchastity or adultery it shall not be necessary to allege in the plaintiff's statement of claim or to prove that special damage resulted to the plaintiff from the utterance of such words and the plaintiff may recover damages without averment or proof of special damage.

Commence-  
ment of  
Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 32.

## An Act to amend the Law as to Contributory Negligence.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Contributory Negligence Act, 1924.* Short title.

**2.** In this Act "plaintiff" shall include a defendant counter-claiming, and "defendant" shall include a plaintiff against whom a counter-claim is brought. Interpretation.

**3.** In any action or counterclaim for damages hereafter brought, which is founded upon fault or negligence, if a plea of contributory fault or negligence shall be found to have been established, the jury, or the judge in an action tried without a jury, shall find:— Findings in action founded on negligence.

First: The entire amount of damages to which the plaintiff would have been entitled had there been no such contributory fault or neglect;

Secondly: The degree in which each party was in fault and the manner in which the amount of damages found should be apportioned so that the plaintiff shall have judgment only for so much thereof as is proportionate to the degree of fault imputable to the defendant.

**4.** Where the judge or jury finds that it is not, upon the evidence, practicable to determine the respective degrees of fault the defendant shall be liable for one-half the damages sustained. Where apportionment of damages impracticable.

**5.** This Act shall come into force on the 1st day of July, 1924. Commencement of Act.

## CHAPTER 33.

## An Act to amend The Magistrates Act, 1922.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Magistrates Act, 1924*.

1922, c. 48,  
s. 13, subs. 1,  
amended.      **2.** Subsection 1 of section 13 of *The Magistrates Act, 1922*, is amended by inserting after the words "otherwise act" in the fourth and fifth lines thereof the word "until."

1922, c. 48,  
s. 16, subs. 2,  
repealed.      **3.** Subsection 2 of section 16 of *The Magistrates Act, 1922*, is repealed and the following substituted therefor:

Application  
of Act.      (2) With the exception of section 34, Parts II and III of *The Justices of the Peace Act* shall not apply to Police Magistrates.

1922, c. 48  
amended.      **4.** *The Magistrates Act, 1922*, is amended by adding thereto the following section:

Appointment  
of interpreters  
in cities      17a. The Board of Commissioners of Police of any city having a population of not less than 50,000 may appoint one or more official interpreters to act in all cases coming before any Police Magistrate of such city in which the services of an interpreter may be required and any such interpreter or interpreters may be paid such salary or other remuneration as may be fixed by the Board and such salary or remuneration shall be paid by the Board out of any monies appropriated for that purpose by the council of such city.

Commence-  
ment of  
Act.      **5.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 34.

## An Act to amend The Crown Attorneys Act.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Crown Attorneys Act, 1924*. Short title.

2. Section 16 of *The Crown Attorneys Act* as amended by Rev. Stat. c. 91, s. 16, section 2 of *The Crown Attorneys Amendment Act, 1921*, is repealed. is repealed and the following substituted therefor:

- 16.—(1) The Lieutenant-Governor in Council may commute the fees payable to a Crown Attorney, Commu-  
tation of  
fees. including the fees receivable from his office as Clerk of the Peace, for a fixed annual sum.
- (2) The annual sum so fixed shall not exceed the average Limit of  
amount of  
commu-  
tation. net income of the Crown Attorney from both offices during the next preceding five years except in the case of a Crown Attorney for a county in which there is a city having a population of 30,000 or over, in which case the amount to be fixed shall be in the discretion of the Lieutenant-Governor in Council.
- (3) When commuting the fees of a Crown Attorney, the Office  
expenses. Lieutenant-Governor in Council may provide for a fixed annual allowance to such Crown Attorney to cover the expenses of his office.
- (4) The sums fixed under the provisions of this section How  
payable. shall be payable out of the amounts voted by the Assembly and appropriated by the Legislature for the administration of justice in the county or district.
- (5) Where the fees of a Crown Attorney have been Collection  
and payment  
over of fees. commuted under the provisions of this section it shall be his duty to collect all fees payable to him as Crown Attorney and Clerk of the Peace, other

than

than those payable by the Province either directly or by way of refund to the county, and remit the same to the Inspector of Legal Offices by cheque payable to the Provincial Treasurer, quarterly on the 1st day of January, April, July and October in each year, together with a statement showing the fees collected, verified by statutory declaration.

Commence-  
ment of  
Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 35.

## An Act to amend The Coroners Act.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Coroners Act, 1924.* Short title.

2. Subsection 1 of section 9 of *The Coroners Act* is amended by adding at the end thereof the following words: "and shall also forthwith transmit to the Division Registrar a notice of the death in the form prescribed by *The Vital Statistics Act*" so that the subsection will now read as follows:—

Rev. Stat.  
c. 92, s. 9,  
subs. 1,  
amended.

(1) If, after viewing the body and making such enquiry, the Coroner deems an inquest unnecessary, he shall issue his warrant, Form 4, to bury the body, and shall forthwith transmit to the Crown Attorney a statutory declaration, Form 5, setting forth briefly the result of such enquiry and the grounds on which the warrant has been issued, and shall also forthwith transmit to the Division Registrar a notice of the death in the form prescribed by *The Vital Statistics Act.* Warrant for  
burial where  
coroner  
deems in-  
quest un-  
necessary.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-  
ment of  
Act.

## CHAPTER 36.

An Act to amend The Administration of  
Justice Expenses Act.*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Administration of Justice Expenses Act, 1924.*

Rev. Stat.  
c. 96,  
amended.      **2.** *The Administration of Justice Expenses Act* is amended by adding thereto the following section:

Expenses  
of trial on  
change of  
venue.

18a.—(1) Where in the case of a prosecution for an indictable offence the venue is changed from the county in which such offence is alleged to have been committed to another county, the county in which the trial would have taken place had the venue not been changed, shall repay to the county to which the venue is changed all additional expenses to which such last mentioned county is put by reason of the change of venue.

Where venue  
changed  
from pro-  
visional  
judicial dis-  
trict to  
county.

(2) Where the venue is changed from a provisional judicial district to a county the county shall be reimbursed such expenses by the Government, and when the venue is changed from a county to a provisional judicial district such expenses shall be repaid to the Government by the county.

How  
recoverable.

(3) Any amount payable by one county to another or by a county to the Province under subsection 1 or subsection 2 shall be a debt recoverable by the county or the Crown as the case may be, by action in any court of competent jurisdiction.

Commence-  
ment of  
Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent and shall have effect as from the 1st day of February, 1924.



## CHAPTER 37.

## An Act to amend The Mortgages Act.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Mortgages Act, 1924.* Short title.

**2.** Section 23 of *The Mortgages Act*, is amended by striking out at the end thereof the words, "and the residue shall be paid to the mortgagor," and substituting therefor the words, "and subject to the provisions of section 10 of *The Dower Act* the residue shall be paid to the mortgagor." Rev. Stat., c. 112, s. 23, amended.  
Rev. Stat. c. 70.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 38.

## An Act to amend The Registry Act.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Registry Act, 1924*.

Rev. Stat.,  
c. 124, s. 81,  
subs. 16,  
amended.

**2.** Subsection 16 of section 81 of *The Registry Act*, is amended by adding at the end thereof the following words: "Provided however that nothing in this section shall be deemed to require the consent to any such plan of the owner of any easement or right in the nature of an easement in respect to the land," so that the subsection when so amended will read as follows:—

Registrar  
not to file  
plans for  
anyone but  
owner nor  
without con-  
sent of  
mortgagees.

(16) The registrar shall not register a plan of a subdivision of land unless the person by whom or on whose behalf the same is tendered for registration appears on the registry books to be the owner of the land, nor unless the consent in writing of all persons who appear by the registry books to be mortgagees of the land is endorsed on the plan and signed by such person, or in the case of a corporation, by its chief officer, and such signatures are duly verified by affidavit. Provided however that nothing in this section shall be deemed to require the consent to any such plan of the owner of any easement or right in the nature of an easement in respect to the land.

Commence-  
ment of  
sections 1  
and 2.

**3.** Sections 1 and 2 shall come into force on the day upon which this Act receives the Royal Assent.

Rev. Stat.  
c. 124,  
amended.

**4.** *The Registry Act* is amended by adding thereto the following section:

86a. The council of any municipality may apply to a judge of the county or district court of the county or district in which are situate the whole, or any part not being less than one-half, of the lands included in any plan, and such judge shall have power to make orders or directions for the following purposes:

Powers of  
county or  
district  
judge to  
make order.

- (a) For the hearing of the application upon such notice as the judge shall direct;
- (b) To cancel or suspend in whole or in part any registered plan;
- (c) To close, divert or alter any or all highways, roads, streets or lanes shown on any such plan, either temporarily or permanently, or pending the suspension of the plan;
- (d) To provide that the lands or any part or parts thereof shown on any such plan shall thereafter, or pending such suspension or until further order of such judge, be known and described by the original township or other registration numbers or designations used prior to the registration of any such plan, or such other numbers or descriptions as to such judge may seem convenient;
- (e) To impose such terms and conditions as to the judge may seem proper;
- (f) To fix and determine the fees and charges to be imposed and collected by registrars for all and any services under this section, and by whom the same shall be payable;
- (g) To reinstate in whole or in part any plan suspended as aforesaid;
- (h) To make any such further or other order, direction or disposition as such judge may, in his discretion, deem proper.

5. Section 4 shall come into force on the 1st day of July, 1924.

Commence-  
ment of  
section 4.

## CHAPTER 39.

## An Act respecting Warehousemen's Liens.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Warehousemen's Lien Act, 1924.*

Interpretation.

**2.** In this Act,—

"Warehouseman."

(a) "Warehouseman" shall mean a person lawfully engaged in the business of storing goods as bailee for hire;

"Goods."

(b) "Goods" shall include personal property of every description that may be deposited with a warehouseman as bailee;

"Charges."

(c) "Charges" shall have the meaning assigned to it in section 3.

Lien.

**3.**—(1) Subject to the provisions of section 4, every warehouseman shall have a lien on goods deposited with him for storage, whether deposited by the owner of the goods or by his authority, or by any person entrusted with the possession of the goods by the owner or by his authority.

Amount of lien.

(2) The lien shall be for the amount of the warehouseman's charges, that is to say:—

(a) All lawful charges for storage and preservation of the goods; and

(b) All lawful claims for money advanced, interest, insurance, transportation, labour, weighing, coopering, and other expenses in relation to the goods; and

(c) All reasonable charges for any notice required to be given under the provisions of this Act, and for notice

and

and advertisement of sale, and for sale of the goods where default is made in satisfying the warehouseman's lien.

4.—(1) Where the goods on which a lien exists were deposited not by the owner or by his authority, but by a person entrusted by the owner or by his authority with the possession of the goods, the warehouseman shall, within two months after the date of the deposit, give notice of the lien:—

Notice of  
lien when  
goods in  
hands of  
agent, etc.

(a) To the owner of the goods, including the person in whom the right of property therein is vested where a valid receipt note, hire receipt or other instrument evidencing a bailment or conditional sale of the goods is registered (or filed) under *The Conditional Sales Act* at the date of deposit; and

(b) To the grantee of the goods under any bill of sale or chattel mortgage registered (or filed) under *The Bills of Sale and Chattel Mortgage Act* at that date.

(2) The notice shall be in writing and contain:

Form of  
notice.

(a) A brief description of the goods; and

(b) A statement showing the location of the warehouse where the goods are stored, the date of their deposit with the warehouseman, and the name of the person by whom they were deposited; and

(c) A statement that a lien is claimed by the warehouseman in respect of the goods under this Act.

(3) Where the warehouseman fails to give the notice required by this section, his lien, as against the person to whom he has failed to give notice, shall be void as from the expiration of the period of two months from the date of the deposit of the goods.

Failure to  
give notice.

5.—(1) In addition to all other remedies provided by law for the enforcement of liens or for the recovery of warehouseman's charges, a warehouseman may sell by public auction, in the manner provided in this section, any goods upon which he has a lien for charges which have become due.

Sale by pub-  
lic auction.

(2) The warehouseman shall give written notice of his intention to sell:—

Notice of  
sale.

(a) To the person liable as debtor for the charges for which the lien exists; and

(b)

- (b) To the owner of the goods, including the person in whom the right of property therein is vested, where a valid receipt note, hire receipt or other instrument evidencing a bailment or conditional sale of the goods is registered (or filed) under *The Conditional Sales Act* at the date of deposit of the goods; and
- (c) To the grantee of the goods under any bill of sale or chattel mortgage registered (or filed) under *The Bills of Sale and Chattel Mortgage Act* at that date; and
- (d) To any other person known by the warehouseman to have or claim an interest in the goods.

Form of  
notice.

(3) The notice shall contain:—

- (a) A brief description of the goods; and
- (b) A statement showing the location of the warehouse where the goods are stored, the date of their deposit with the warehouseman, and the name of the person by whom they were deposited; and
- (c) An itemized statement of the warehouseman's charges showing the sum due at the time of the notice; and
- (d) A demand that the amount of\* the charges as stated in the notice and such further charges as may accrue shall be paid on or before a day mentioned, not less than twenty-one days from the delivery of the notice if it is personally delivered, or from the time when the notice should reach its destination according to the due course of mail if it is sent by mail; and
- (e) A statement that unless the charges are paid within the time mentioned the goods will be advertised for sale and sold by public auction at a time and place specified in the notice.

Advertise-  
ment of sale.

(4) Where the charges are not paid on or before the day mentioned in the notice, an advertisement of the sale, describing the goods to be sold, and stating the name of the person liable as debtor for the charges for which the lien exists, and the time and place of the sale, shall be published at least once a week for two consecutive weeks in a newspaper published in the Province and circulating in the locality where the sale is to be held. The sale shall be held not less than fourteen days from the date of the first publication of the advertisement.

6. Where a notice of lien under the provisions of section 4, or a notice of intention to sell under the provisions of section 5 has been given, but such provisions have not been strictly complied with, if the court or a judge before whom any question respecting the notice is tried or inquired into considers that such provisions have been substantially complied with, or that it would be inequitable that the lien or sale shall be void by reason of such non-compliance, no objection to the sufficiency of the notice shall in any such case be allowed to prevail so as to release or discharge the goods from the lien or vitiate the sale.

Substantial compliance with requirements.

7. From the proceeds of the sale the warehouseman shall satisfy his lien, and shall pay over the surplus, if any, to the person entitled thereto; and the warehouseman shall when paying over the surplus deliver to the person to whom he pays it a statement of account showing how the amount has been computed. If the surplus is not demanded by the person entitled thereto within ten days after the sale, or if there are different claimants or the rights thereto are uncertain, the warehouseman shall pay the surplus into the Supreme Court upon the order of a Judge. The order may be made *ex parte* upon such terms and conditions as to costs and otherwise as the Judge may direct, and may provide to what fund or name the amount shall be credited. The warehouseman at the time of paying the amount into court shall file in court a copy of the statement of account showing how the amount has been computed.

Application of proceeds of sale.

8. At any time before the goods are sold any person claiming an interest or right of possession in the goods may pay the warehouseman the amount necessary to satisfy his lien, including the expenses incurred in serving notices and advertisement and preparing for the sale up to the time of the payment. The warehouseman shall deliver the goods to the person making the payment if he is the person entitled to the possession of the goods on payment of the warehouseman's charges thereon, otherwise the warehouseman shall retain possession of the goods according to the terms of the contract of deposit.

Discharge of lien.

9. Where by this Act any notice in writing is required to be given, the notice shall be given by delivering it to the person to whom it is to be given, or by mailing it in the post office, postage paid and registered, addressed to him at his last known address.

Notices, how given.

10. Nothing in this Act contained shall be deemed to affect the terms of the contract between the owner or bailor and the warehouseman and a warehouse receipt referring to this

Contract not affected.

section and issued by a warehouseman, when delivered to the owner or bailor of the goods or mailed to him at his address last known to the warehouseman, shall constitute the contract between the owner or bailor and the warehouseman; provided that the owner or bailor may within twenty days after such delivery or mailing notify the warehouseman in writing that he does not accept such contract and thereupon he shall remove the goods deposited subject to the warehouseman's lien for charges and if such notice is not given then the said warehouse receipt so delivered or mailed shall constitute the contract.



## CHAPTER 40.

## An Act to amend The Master and Servant Act.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Master and Servant Act, 1924.* Short title.

2. Subsection 1 of section 4 of *The Master and Servant Act* as amended by section 32 of *The Statute Law Amendment Act, 1914*, is further amended by striking out the words, "in provisional judicial districts the sum of \$80 and in counties the sum of \$40" and inserting in lieu thereof the words, "the sum of \$100," so that the subsection will now read as follows:—

- (1) Upon the complaint upon oath of a servant or labourer against his master or employer concerning any non-payment of wages, a Justice of the Peace may summon the master or employer to appear before him at a reasonable time to be stated in the summons, and he or some other Justice upon proof on oath of the personal service of the summons, or of its service as hereinafter authorized, shall examine into the matter of the complaint whether or not the master or employer appears, and upon due proof of the cause of complaint the Justice may discharge the servant or labourer from the service or employment of the master or employer, and may direct the payment to him of any wages found to be due, not exceeding the sum of \$100, and the Justice shall make such order as to him seems just and reasonable for the payment of such wages, with costs, and in case of the non-payment of the same, together with the costs, for the space of eight days after the order has been made the Justice shall issue his warrant of distress for the levying of the wages, together with the costs of the order and of the distress. Complaints by servants for non-payment of wages.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 41.

## An Act to amend The Workmen's Compensation Act.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Workmen's Compensation Act, 1924.*

1914, c. 25,  
s. 8,  
amended.      **2.** Section 8 of *The Workmen's Compensation Act*, as amended by section 3 of the Act passed in the year 1915, chaptered 24, section 3 of *The Workmen's Compensation Act, 1919*, and section 2 of *The Workmen's Compensation Act, 1922*, is further amended by striking out the word "Ontario" wherever it occurs in the said section and inserting in lieu thereof the word "Canada."

Increase in compen-  
sation.      **3.** The increase of compensation provided for in this Act shall apply to all pension payments accruing after the coming into effect of this Act, whether the accident happened before or after that date, and whether the award of compensation has been heretofore or is hereafter made, but nothing in this section contained shall entitle any person to claim additional compensation for any period prior to the coming into effect of this Act.

1914, c. 25,  
amended.      **4.** *The Workmen's Compensation Act* is amended by adding thereto the following section:—

Aid to  
injured  
workmen.

44c. To aid in getting injured workmen back to work and to assist in lessening or removing any handicap resulting from their injuries, the Board may take such measures and make such expenditures as it may deem necessary or expedient, and the expense thereof shall be borne, in Schedule 1 cases, out of the accident fund, and in Schedule 2 cases by the employer individually, and may be collected in the

same

same manner as compensation or expenses of administration; provided that the total expenditure under the provisions of this section shall not exceed \$100,000 in any calendar year.

**5.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

Commence-  
ment of  
Act.

## CHAPTER 42.

## An Act to amend The Landlord and Tenant Act.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Landlord and Tenant Act, 1924.*

Rev. Stat.,  
c. 155, s. 38,  
repealed.      **2.** Section 38 of *The Landlord and Tenant Act*, is repealed and the following substituted therefor:

Lien of  
landlord in  
bankruptcy,  
etc.

38.—(1) In case of an assignment for the general benefit of creditors, or an order being made for the winding up of an incorporated company, or where a receiving order in bankruptcy or authorized assignment has been made by or against a tenant, the preferential lien of the landlord for rent shall be restricted to the arrears of rent due during the period of three months next preceding, and for three months following the execution of the assignment, and from thence so long as the assignee retains possession of the premises, but any payment to be made to the landlord in respect of accelerated rent shall be credited against the amount payable by the assignee, liquidator or trustee for the period of his occupation.

Rights of  
assignee.

(2) Notwithstanding any provision, stipulation or agreement in any lease or agreement or the legal effect thereof, in case of an assignment for the general benefit of creditors, or an order being made for the winding up of an incorporated company, or where a receiving order in bankruptcy or authorized assignment has been made by or against a tenant, the assignee, liquidator or trustee may at any time within three months thereafter for the purposes of the trust estate and before he has given notice of intention to surrender possession or disclaim, by notice in writing elect to retain the leased premises

for the whole or any portion of the unexpired term and any renewal thereof, upon the terms of the lease and subject to the payment of the rent as provided by such lease or agreement, and he may upon payment to the landlord of all arrears of rent, assign the lease with rights of renewal, if any, to any person who will covenant to observe and perform its terms and agree to conduct upon the demised premises a trade or business which is not reasonably of a more objectionable or hazardous nature than that which was thereon conducted by the debtor, and who shall on application of the assignee, liquidator or trustee, be approved by a Judge of the Supreme Court of Ontario as a person fit and proper to be put in possession of the leased premises.

- (3) The assignee, liquidator or trustee shall have the further right at any time before so electing by notice in writing to the landlord, to surrender possession or disclaim any such lease, and his entry into possession of the leased premises and their occupation by him, while required for the purposes of the trust estate, shall not be deemed to be evidence of an intention on his part to elect to retain possession pursuant to the provisions of this section. <sup>Election to surrender.</sup>
- (4) Where the assignor, or person or firm against whom a receiving order has been made in bankruptcy, or a winding up order has been made, being a lessee, has, before the making of the assignment or such order demised by way of under-lease, approved or consented to in writing by the landlord, any premises and the assignee, liquidator or trustee surrenders, disclaims or elects to assign the lease the under-lessee shall, if he so elects in writing within three months of such assignment or order, stand in the same position with the landlord as though he were a direct lessee from the landlord but subject, except as to rental payable, to the same liabilities and obligations as the assignor, bankrupt or insolvent company was subject to under the lease at the date of the assignment or order, but the under-lessee shall in such event be required to covenant to pay to the landlord a rental not less than that payable by the under-lessee to the debtor, and if such last mentioned rental was greater than that payable by the debtor to the said landlord the under-lessee shall be required to covenant to pay to the landlord the like greater rental. <sup>Rights of sub-tenants.</sup>

Settlement  
of disputes.

- (5) In the event of any dispute arising under this section such dispute shall be disposed of upon a summary application by a Judge of the Supreme Court of Ontario.

Commence-  
ment of  
Act.

- 3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 43.

## An Act to amend The Pharmacy Act.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Pharmacy Act, 1924.* Short title.
2. Subsection 1 of section 4 of *The Pharmacy Act* is amended by adding at the end thereof the words, "from and including the third Monday in November next following such election." Rev. Stat.  
c. 164, s. 4,  
subs. 1,  
amended.
3. Section 6 of *The Pharmacy Act*, as amended by section 2 of the Act passed in the year 1917, chaptered 35, is repealed and the following substituted therefor: Rev. Stat.  
c. 164, s. 6,  
repealed.
6. An election of members of the Council shall be held on the first Wednesday in August in every second year and the persons qualified to vote in any electoral district at the election shall be every member of the College who on the 1st day of June in such election year resides in the Province of Ontario and who is carrying on the business of a retail chemist in such electoral district as a proprietor thereof or as a registered manager of a retail incorporated company carrying on such business and who is liable to pay and has paid on or before the said last mentioned date the annual fee under this Act. Election of  
members of  
council.
4. Subsection 1 of section 7 of *The Pharmacy Act* is amended by striking out all the words therein after the word "district" in the second line. Rev. Stat.  
c. 164, s. 7,  
subs. 1,  
amended.
5. Subsection 1 of section 12 of *The Pharmacy Act* is amended by adding after the word "student" in the ninth line the words "and for suspension for cause of any apprentice from serving under his contract of apprenticeship for a period not exceeding one year." Rev. Stat.  
c. 164, s. 12,  
subs. 1,  
amended.
6. The clause lettered *a* in subsection 1 of section 14 of *The Pharmacy Act* is amended by inserting after the word Rev. Stat.  
c. 164, s. 14,  
subs. 1, cl. a,  
amended.

"purpose"

"purpose" in the fifth line the words "approved of by the Council."

Rev. Stat.  
c. 164, s. 15,  
repealed. **7.** Section 15 of *The Pharmacy Act* is repealed and the following substituted therefor:

Matricula-  
tion, re-  
quirements  
as to.

15.—(1) Every person desirous of becoming apprenticed shall before the term of his apprenticeship begins send to the Registrar the sum of \$1 together with a certificate showing that the applicant has passed the examination required for Ontario University Matriculation, or possesses academic qualifications in the opinion of the Council equal to that of Ontario University Matriculation.

Applicant  
to be  
entitled to  
be registered.

(2) Upon complying with the provisions of this section the applicant shall be entitled to be registered as an apprentice.

Rev. Stat.  
c. 164, s. 21,  
subs 1,  
amended.

**8.**—(1) Subsection 1 of section 21 of *The Pharmacy Act* is amended by striking out the figures "\$4" where they occur in the seventh and thirteenth lines and substituting therefor the figures "\$6."

Rev. Stat.  
c. 164, s. 21,  
subs. 2,  
repealed.

(2) Subsection 2 of the said section 21 is repealed and the following substituted therefor:

Business to  
be managed  
by register-  
ed chemist.

(2) Every place of business of a retail druggist or chemist and every branch thereof shall be personally managed by a pharmaceutical chemist registered under this Act.

Rev. Stat.  
c. 164, s. 23,  
repealed.

**9.** Section 23 of *The Pharmacy Act*, as amended by section 3 of the Act passed in the year 1917, chaptered 35, is repealed and the following substituted therefor:

Erasing  
name of  
member on  
conviction  
of offence

23.—(1) Upon a resolution of the Council being passed declaring that any person in consequence of his conviction of a crime, or of an offence against *The Opium or Narcotic Drug Act* or an offence against *The Ontario Temperance Act*, or an offence against this Act, is in the opinion of the Council unfit to be on the Register, the Council may direct that the name of such person shall be erased therefrom and the Registrar shall erase the same accordingly, and his certificate authorizing him to carry on the business of a pharmaceutical chemist shall *ipso facto* be void and be of no force or effect for such period not exceeding two years in the case of a person convicted of a crime or an offence against *The Opium*



or *Narcotic Drug Act* and not exceeding one year in the case of a person convicted of an offence against *The Ontario Temperance Act* or this Act, as the Council shall determine by such resolution or until the Council of the said College shall see fit at its discretion after the expiration of such period to re-instate such pharmaceutical chemist who shall not in the meantime be appointed or act as the employee, clerk, manager or director of, or vote or otherwise interfere as a shareholder in the business of any incorporated company dealing in drugs or medicines under this Act; provided, however, that during the period between the Council meetings a committee of the Council consisting of the president, the chairman of the By-laws and Legislation Committee and the chairman of the Infringement Committee thereof may suspend the certificate of registration of such person so convicted until the next meeting of the Council when the same may be considered by the Council and dealt with as in this section provided, and during such suspension the person so convicted shall not be entitled to carry on the business of a pharmaceutical chemist nor shall he be appointed to act as the employee, clerk, manager or director of, or vote or otherwise interfere as a shareholder in the business of any incorporated company dealing in drugs or medicines under this Act.

- (2) The Council may by resolution declare any apprentice convicted of any of the offences hereinbefore mentioned in this section unfit to serve under a contract of apprenticeship and that such apprentice be barred for a period of time not exceeding one year as the resolution shall provide, from service under his contract of apprenticeship, provided, however, that during the period between the Council meetings a committee of the Council consisting of the president, the chairman of the By-laws and Legislation Committee and the chairman of the Infringement Committee thereof may suspend from service under a contract of apprenticeship any apprentice so convicted until the next meeting of the Council when the same may be considered by the Council and dealt with as in this section provided.
- (3) No action or other proceeding shall be brought or taken by or on behalf of any person convicted of any of the crimes or offences mentioned in sub-

Suspension  
of service  
of apprentice.

Person  
convicted  
not to  
bring action  
against  
Council.

section 1 of this section against the Council or any committee thereof for anything done or attempted in good faith under this section notwithstanding any want of form in the proceedings of the Council or of the Committee.

Rev. Stat.  
c. 164, s. 24,  
amended.

**10.** Section 24 of *The Pharmacy Act* is amended by striking out the word "additional" in the second line, and by striking out the word "his" in the fourth line and substituting therefor the word "such."

Rev. Stat.  
c. 164, s. 28,  
cl. b,  
amended.

**11.** The clause lettered *b* in section 28 of *The Pharmacy Act* is amended by adding after the words "Dispensing Druggist" in the fourth line the words "or use the designation 'drug store,' 'pharmacy,' 'drugs' or 'medicines'."

Rev. Stat.  
c. 164, s. 31,  
repealed.

**12.** Section 31 of *The Pharmacy Act*, as amended by sections 4, 5, 6 and 7 of the Act passed in the year 1917, chaptered 35, is repealed and the following substituted therefor:

Names and  
addresses of  
directors.

31. Every incorporated company dealing in drugs or medicines under this Act shall before commencing business furnish the Registrar with the name and address of each of its directors and thereafter if any change is made in such directors shall forthwith furnish the Registrar with the names and addresses of any new directors.

Rev. Stat.  
c. 164, s. 37,  
subs. 1  
(1917, c. 35,  
s. 8),  
repealed.

**13.** Subsection 1 of section 37 of *The Pharmacy Act*, as re-enacted by section 8 of the Act passed in the year 1917, chaptered 35, is repealed and the following substituted therefor:

Penalties.

(1) Any person or incorporated company who contravenes any of the provisions of this Act, shall for the first offence incur a penalty of not less than \$20 nor more than \$100 and for each offence committed subsequent to conviction for such first offence a penalty of not less than \$50 nor more than \$200, such penalties to be recoverable under *The Ontario Summary Convictions Act*, and the amounts recovered shall be paid over by the convicting magistrate or justice to the Registrar for the use of the College.

Rev. Stat.  
c. 90.

**14.** Section 42 of *The Pharmacy Act* is repealed and the following substituted therefor:

Selling  
patent  
medicines.

42.—(1) Nothing in this Act shall interfere with or affect the making or dealing in any proprietary or patent medicine.

- (2) The words "proprietary or patent medicine" in this Act shall have the meaning and be defined as in <sup>"Proprietary or patent medicine,"</sup> *The Proprietary and Patent Medicine Act* being <sup>meaning of,</sup> chapter 56 of the Statutes of the Dominion of <sup>1908,</sup> Canada, 1908. <sup>(Dom.) c. 56.</sup>

- 15.** This Act shall come into force on the 1st day of July, <sup>Commence-</sup> 1924. <sup>ment of</sup> Act

## CHAPTER 44.

## An Act to amend The Ontario Land Surveyors Act.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Ontario Land Surveyors Act, 1924.*

Rev. Stat.,  
c. 165, s. 25,  
repealed.      **2.** Section 25 of *The Ontario Land Surveyors Act* as amended by section 2 of *The Ontario Land Surveyors Act, 1917*, is repealed and the following substituted therefor:—

Qualifica-  
tion for  
admission  
to practise.

**25.** Every candidate for admission to practise as an Ontario Land Surveyor shall have passed an intermediate examination in the subjects of geometry, plane trigonometry, spherical trigonometry, algebra and mensuration as prescribed by the Board and such examination shall be passed by the candidate at least one year prior to presenting himself for final examination.

Final  
examination.

**25a.** Except as hereinafter provided no person shall be admitted to practise as a surveyor until he has attained the age of twenty-one years and has passed the examination mentioned in section 25 and has also passed a final examination in the following subjects—practical astronomy, laying out of curves, theory and practice of levelling, descriptions by metes and bounds, use and adjustment of surveying and levelling instruments, *The Surveys Act*, *The Mining Act of Ontario*, *The Registry Act*, *The Land Titles Act* and *The Consolidated Municipal Act, 1922*, (in so far as the last three mentioned Acts relate to roads, surveys and plans), rules of evidence and drawing of affidavits, taking of field notes and preparing plans, town planning, geology and mineralogy, *The Ditches and Watercourses Act* and *The Municipal Drainage Act*.

**3.** The clause lettered *e* in subsection 1 of section 39 of *Rev. Stat., The Ontario Land Surveyors Act* as amended by section 6 of *subs. 1, cl. e, The Ontario Land Surveyors Act, 1917*, is repealed and the following substituted therefor:—

- (e) By each candidate for preliminary examination on presenting himself for examination, \$15, for the intermediate examination on presenting himself for such examination, \$20, and for each candidate for the final examination on presenting himself for such examination, \$40.

**4.** This Act shall come into force on the 1st day of June, 1924.

Commence-  
ment of  
Act.

## CHAPTER 45.

## An Act to amend The Surveys Act, 1920.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Surveys Act, 1924*.

1920, c. 48,  
s. 17, subs. 1,  
repealed.

**2.** Subsection 1 of section 17 of *The Surveys Act, 1920*, is repealed and the following substituted therefor:

Municipal  
survey of  
lot lines.

- (1) Upon receipt by the municipal council of any township, city, town or village of an application from at least one-half the owners of the lands described in the application for a municipal survey of such land, the council shall, or upon its own motion may apply to the Lieutenant-Governor in Council, in the same manner as is provided by the next preceding section, to cause a survey to be made and stone or other durable monuments to be placed at the front or at the rear, or at front and rear angles of any lot or lots in any such township, city, town, village, concession, section, block, gore, lot, mining claim, mining location, common, or parcel of land referred to in sections 11, 12 and 13 of this Act, such council shall apply to the Lieutenant-Governor in Council in the same manner as is provided by the next preceding section to cause a survey to be made and such monuments to be placed under the authority of the Minister.

1920, c. 48,  
s. 18,  
amended.

**3.** Section 18 of *The Surveys Act, 1920*, is amended by adding thereto the following subsection:

Special  
lines and  
boundaries

- (3) If in the course of a survey undertaken under sections 15, 16 or 17 of this Act it is found necessary to establish any lines, limits or boundaries other than those specifically mentioned in the instructions, the Minister may at his discretion confirm any such

line, limit or boundary as part of the survey and require the same to be properly marked with stone or other durable monuments.

**4.** This Act shall come into force on the 1st day of June, <sup>Commence-</sup>  
1924. <sup>ment of</sup>  
<sup>Act.</sup>

## CHAPTER 46.

An Act respecting the Culling and Measurement  
of Timber cut upon Public Lands.*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Ontario Cullers Act, 1924.*

Interpre-      **2.** In this Act,—  
tation.

"Depart-      (a) "Department" shall mean the Department of  
ment,"      Lands and Forests;

"Minister."      (b) "Minister" shall mean the Minister of Lands  
and Forests;

"Public      (c) "Public lands" shall include Crown lands,  
lands."      school lands, clergy lands and patented lands  
where the timber on them remains the  
property of the Crown;

"Pulp-      (d) "Pulpwood" shall include all timber suitable  
wood."      or intended for manufacturing pulp or paper;

"Sawlogs."      (e) "Sawlogs" shall include logs of whatever  
length whether of round or flatted.

Regulations.      **3.**—(1) The Lieutenant-Governor in Council may appoint  
as many boards of examiners as he may deem necessary,  
each consisting of three skilled persons any two of whom  
shall form a quorum, whose duty shall be,—

(a) to examine, test and report upon the ability  
and knowledge of all applicants desiring to  
be licensed to cull and measure sawlogs cut  
on public lands;

(b) to examine, test and report upon the ability  
and knowledge of all applicants desiring to  
be licensed to cull and measure pulpwood cut  
on public lands;

(c)



- (c) to perform such other duties as may be assigned to them by the Lieutenant-Governor in Council.

(2) The Minister is hereby authorized to fix the standard <sup>Minister to</sup> and method of examination. <sup>set standard.</sup>

4.—(1) Every examiner, before entering upon his duties, <sup>Oath of</sup> shall take and subscribe an oath to the following effect: <sup>Examiner.</sup>

*That I, \_\_\_\_\_, will act as Examiner of Cullers to the best of my ability and knowledge, and will conduct the examinations without fear, favour or affection and recommend for licenses only those persons who have satisfactorily proved their fitness to discharge the duties of culling and measuring sawlogs, or of culling and measuring pulpwood, as the case may be.*

(2) The oath shall be transmitted to the Minister.

<sup>Oath to be</sup>  
transmitted  
to Minister.

5. The Lieutenant-Governor in Council may authorize the payment to each member of such board, as remuneration <sup>Remunera-</sup> for his services, of a sum not exceeding \$10 per day while <sup>tion of</sup> actually employed as such examiner. <sup>Examiners.</sup>

6. Every board shall sit at such places and on such dates <sup>Duties</sup> as may be fixed by the Minister, and shall examine all candidates who present themselves before them, and at the close <sup>of Board.</sup> of the examination, or as soon after as may be, shall transmit to the Minister the names of such of the candidates as they believe are trustworthy and of good character, and who have passed a satisfactory examination, and whom they recommend as having the requisite skill and knowledge to warrant their being licensed as cullers, either of sawlogs or of pulpwood.

7.—(1) Every person intending to present himself for <sup>Application</sup> examination as a culler shall, on or before the 1st day of <sup>for examina-</sup> July in any year, give notice in writing to the Minister of <sup>tion.</sup> such intention, and of his post office address.

(2) The notice referred to in the preceding subsection of <sup>Form</sup> this section shall state whether the candidate intends to <sup>of notice.</sup> present himself for examination as a culler of sawlogs or as a culler of pulpwood.

(3) The examination fee as culler either of sawlogs or <sup>Examination</sup> pulpwood shall be \$4. <sup>fee.</sup>

(4) Examination fees may be paid at the time of the <sup>Time of</sup> notice mentioned in subsection 1 hereof or to the presiding <sup>payment.</sup> examiner before the examination.

Failure to comply with provisions as to application.

(5) Failure to comply with subsection 1 shall not render any applicant ineligible for examination privileges if reasons satisfactory to the Minister are furnished and other necessary requirements are met.

Cullers' license.

8.—(1) The Minister may issue a license to any person reported as competent to perform the duties of a culler, such license to be in the form following, and to remain in force until cancelled:

To \_\_\_\_\_ of the County (or District) of \_\_\_\_\_

By virtue of authority vested in me by *The Ontario Cullers Act, 1924*, I hereby authorize you to act, during pleasure of the Crown, as culler of sawlogs (or of pulpwood *as the case may be*) cut on public lands within Ontario.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

*Minister of Lands and Forests.*

Effect of license.

(2) A person to whom has been issued a license as culler of sawlogs shall be entitled thereunder to measure and cull pulpwood.

Oath of applicant for license.

9.—(1) Before a license is issued each successful applicant shall take an oath to the following effect:

*That I, \_\_\_\_\_, while acting as a licensed culler, without fear, favour or affection, and to the best of my judgment and skill, will correctly measure all pulpwood (or sawlogs as the case may be) cut on public lands and which I may be employed to measure, and make true return of the same to the Department of Lands and Forests, or its agents.*

Oath to be transmitted to Minister.

(2) The oath shall be transmitted to the Minister.

Special permit.

10. No person other than a licensed culler, and no licensed culler as to timber other than that covered by his license, shall make measurements of sawlogs or pulpwood cut upon public lands for the purposes of a return to the Department, but where it is made to appear to the satisfaction of the Minister that the services of a licensed culler are not procurable, the Minister may issue a special permit to any trustworthy and skilled person to act as culler, and upon his taking the prescribed oath, but such permit shall not extend beyond the 1st day of June next following its date.

Duty of culler.

11. It shall be the duty of every culler of sawlogs or of pulpwood as the case may be, to measure fairly and correctly to the best of his skill, knowledge and ability all sawlogs and pulpwood which he may be employed to measure, making only such deductions as are necessary to allow for rots or other defects, and to enter in a book of record, for the purpose of

return

return to the Department, what he believes to be the proper contents of the logs and pulpwood, noting also the number of sawlogs and pulpwood respectively rejected as worthless, commonly called "culls."

**12.** Upon all sawlogs and pulpwood culled or rejected as wholly worthless he shall mark the word "cull" in plain letters, but he shall not mark "cull" upon any log which is intended to be hauled to any river, lake or stream for the purpose of being driven to a mill.

How saw-logs and pulpwood to be marked.

**13.** All licensed cullers shall submit their books and records of measurements for the inspection of any Crown timber agent, Crown timber ranger, or other officer of the Department when called upon so to do, and shall give all information asked for if in their power and furnish any statements or copies of statements which the Department or its agents may require.

Books and records may be inspected by officers of Department.

**14.** At the end of the season every culler of sawlogs shall make a sworn return upon forms supplied by the Department or its agents, which shall show the names and addresses of each person for whom the sawlogs measured were cut, the lands on which the said sawlogs were cut, the number of pieces measured and accepted by him cut on each of said lands and the respective lengths and diameters of each of said pieces so cut and also the number of pieces so cut on each of said lands and rejected as worthless.

Returns to be made by cullers.  
Names and addresses.

**15.** At the end of the season every culler of pulpwood shall make a sworn return upon the forms supplied by the Department or its agents which shall show the number of cords of pulpwood measured by him, the names and addresses of each person for whom said pulpwood was cut respectively, the lands on which the said pulpwood was cut and the number of cords so cut on each of said lands, and also the quantity of pulpwood cut on each of said lands and rejected as worthless.

Returns to be made by cullers.  
Number of cords measured.

**16.** If a culler neglects or refuses to carry out and obey the provisions of this Act, or any regulations made under it, the Minister may cancel his license and such culler shall not thereafter be eligible to cull or measure pulpwood or sawlogs cut upon public lands, and if he does so he shall incur a penalty of not less than \$10 nor more than \$50 for each offence recoverable under *The Ontario Summary Convictions Act*.

Cancellation of license.

**17.** If a culler wilfully undermeasures or mismeasures or improperly culls and rejects any sawlogs or pulpwood, or makes a false return for the purpose of deceiving or defraud-

Offences and penalties.

ing, his license shall be revoked and he shall not be permitted to act as culler under this Act, and in addition he shall incur a penalty of not less than \$20 nor more than \$100 for each offence, recoverable under *The Ontario Summary Convictions Act*.

Certain  
provisions  
not to be  
abrogated.

**18.** This Act shall not abrogate any regulations made under *The Crown Timber Act*, except in so far as they may be inconsistent herewith.

Rev. Stat.,  
c. 172,  
repealed.

Exception.

**19.** *The Ontario Cullers Act* being chapter 172 of the Revised Statutes of Ontario, 1914, is repealed, but notwithstanding such repeal all licenses heretofore issued under the said Act and now in force and the holders of which are in good standing shall remain valid for all the purposes of this Act to the same extent as licenses issued under this Act.

Commence-  
ment of  
Act.

**20.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 47.

## An Act to amend The Ontario Companies Act.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Ontario Companies Amendment Act, 1924.* Short title.

**2.** Section 3 of *The Ontario Companies Act* is amended by striking out the words "insurance corporations within the meaning of *The Ontario Insurance Act*" in the tenth and eleventh lines thereof. Rev. Stat.,  
c. 178, s. 3,  
amended.

**3.** *The Ontario Companies Act* is amended by adding thereto the following section:— Rev. Stat.,  
c. 178,  
amended

5a.—(1) Any or all of the shares of any company may be issued without any nominal or par value, provided there be included in its Letters Patent, the following statements: No par  
value shares.

(a) The total number of shares that may be issued by the company;

(b) The number of shares, if any, which are to have a par value and the par value of each;

(c) The number of shares which are to be without par value; and

(d) Either one of the following clauses:

(i) The capital of the company shall be at least equal to the sum of the aggregate par value of all issued shares having par value, plus \_\_\_\_\_ dollars (*the blank space being filled in with some number representing one dollar or more*) in respect to every issued share without par value, plus such amounts as, from time to time, by by-law of the company, may be transferred thereto; or

(ii)

- (ii) The capital of the company shall be at least equal to the sum of the aggregate par value of all issued shares having par value, plus the aggregate amount of consideration received by the company for the issuance of shares without par value, plus such amounts as, from time to time, by by-law of the company, may be transferred thereto.

Amount of  
capital.

- (2) There may also be included in such Letters Patent an additional statement that the capital shall not be less than            dollars (*the blank space being filled in with a number*). Such statements in the Letters Patent shall be in lieu of any statements prescribed by *The Ontario Companies Act* as to the amount of its capital stock or the number of shares into which the same shall be divided, or of which it shall consist.

Ranking of  
shares,

- (3) Subject to the designations, preferences, privileges and voting powers or restrictions or qualifications granted or imposed in respect to any class of shares, each share with or without par value shall be equal to every other share of the same class.

Sale of  
shares.

- (4) A company may issue and may sell its authorized shares without par value from time to time:—

- (a) for such consideration as may be prescribed in such Letters Patent; or
- (b) for such consideration as shall be the fair market value of such shares, and, in the absence of fraud in the transaction, the judgment of the board of directors as to such value shall be conclusive; or
- (c) in the absence of fraud in the transaction, for such consideration as from time to time may be fixed by the board of directors pursuant to authority conferred in such Letters Patent; or
- (d) for such consideration as shall be consented to or approved by the holders of a majority of the shares entitled to vote at a meeting called in the manner prescribed by the by-laws, provided the call for such meeting shall contain notice of such purpose;

and any and all shares issued as permitted by this

section shall be deemed fully paid and non-assessable, and the holder of such shares shall not be liable to the company or to its creditors in respect thereto.

4. Subsection 1 of section 16 of *The Ontario Companies Act*, as amended by section 2 of *The Ontario Companies Amendment Act, 1916*, is further amended by adding thereto the following clauses:

Rev. Stat.,  
c. 178, s. 16,  
subs. 1,  
amended.

- (g) Changing all or any of its previously authorized shares with par value, issued or unissued, into the same or a different number of shares of any class or classes without par value;
- (h) Changing all or any of its previously authorized shares without par value, issued or unissued, into the same or a different number of shares of any class or classes with par value;
- (i) Classifying or re-classifying any shares, either with or without par value.

5.—(1) Subsection 1 of section 73 of *The Ontario Companies Act* is amended by inserting after the word "lunatic" in the second line thereof, the words "and where a corporation is such executor, administrator, guardian, trustee or committee of a testator, intestate, infant, *cestui que trust* or lunatic, any officer or employee of such corporation or any shareholder of the company duly appointed a proxy for such corporation."

Rev. Stat.,  
c. 178, s. 73,  
subs. 1,  
amended.

(2) The said section 73 is further amended by adding thereto the following subsection:—

Rev. Stat.,  
c. 178, s. 73,  
amended.

- (3) Where a corporation is executor, administrator, guardian, trustee or committee of a testator, intestate, infant, *cestui que trust* or lunatic, such corporation may appoint any of its officers, or employees, or a shareholder of the company, as proxy to represent the shares at any such meeting and to vote accordingly as a shareholder.

Corporation  
may vote as  
trustee, etc.

6. Section 87 of *The Ontario Companies Act* is repealed and the following substituted therefor:—

Rev. Stat.,  
c. 178, s. 87,  
repealed.

- 87.—(1) Subject to the provisions of subsection 2, no person shall hold office as a director unless he is a shareholder absolutely in his own right and not in arrear in respect of any call, and where any director ceases to be such a shareholder he shall thereupon cease to be a director.

Qualifica-  
tion of  
directors.

Corporation  
as director

- (2) Any person holding shares, not in arrear in respect of any call, in trust as executor, administrator, guardian, trustee or committee of a testator, intestate, infant, *cestui que trust* or lunatic, may be elected a director and where any such director ceases to hold shares in trust he shall thereupon cease to be a director, and when a corporation holds such shares in trust as aforesaid any officer or officers of such corporation may be elected as a director or directors and when such corporation ceases to hold such shares in trust any officer so elected shall thereupon cease to be a director.

Liability of  
corporation  
directors.

- (3) A director elected under the provisions of subsection 2 shall not be personally liable under the provisions of section 98 of this Act, but the estate or other beneficial owner of the shares held in trust by such director or by the corporation of which such director is an officer shall be subject to all the liabilities imposed upon directors by section 98.

Rev. Stat.,  
c. 178, s. 116,  
subs. 1, cl. a,  
amended.

7. The clause lettered *a* in subsection 1 of section 116 of *The Ontario Companies Act* is amended by inserting after the word "stating" in the first line thereof, the words "whether common or preference, the date of such allotment, and".

Rev. Stat.,  
c. 178, s. 135,  
subs. 1,  
(1921,  
c. 58, s. 3),  
amended.

8.—(1) Subsection 1 of section 135 of *The Ontario Companies Act* as enacted by section 3 of *The Ontario Companies Amendment Act, 1921*, is amended by striking out the words "every corporation, whether incorporated under the laws of Ontario or otherwise, which has its head or other office or is doing business or any part thereof, in the Province of Ontario and not being a corporation liable to payment of taxes under *The Corporations Tax Act*, shall, without notice or demand to that effect" in the second to ninth lines, inclusive, and substituting therefor the words "without notice or demand to that effect, every corporation incorporated under the laws of Ontario, and every other corporation having its head or other office or doing business or any part thereof, in the Province of Ontario, shall, unless a corporation liable to payment of taxes under section 4 of *The Corporations Tax Act*,".

Rev. Stat.,  
c. 178, s. 135,  
subs. 5,  
(1921,  
c. 58, s. 3),  
amended.

(2) Subsection 5 of the said section 135, as enacted by section 3 of *The Ontario Companies Amendment Act, 1921*, is amended by inserting after the word "continues" in the fourth line thereof, the words "and every director, manager or secretary of the corporation, who knowingly and wilfully authorizes or permits such default, shall incur the like penalty, but such penalties shall be recoverable only by action at the suit of or brought by a private person suing on his own behalf



with the written consent of the Attorney General of the Province of Ontario."

9. *The Ontario Companies Act* is amended by adding thereto the following sections:—

Rev. Stat.,  
c. 178,  
amended.

145c. Except so far as otherwise expressly provided by this Act, the penalties imposed by or under the authority of this Act shall be recoverable under *The Ontario Summary Convictions Act*, and the provisions of the said Act shall apply to every prosecution hereunder.

Recovery  
of penalties.

145d. A company or corporation which insures property with or insures the property of other persons, firms, companies or corporations, where such insurance is reciprocal and for protection only and not for profit, shall not be deemed to be an insurer or an insurance corporation within the meaning of this Act, provided that such insurance is effected outside of Ontario and without any solicitation whatsoever in Ontario directly or indirectly on the part of the insurer.

Reciprocal  
insurance.

10. *The Ontario Companies Act* is amended by adding thereto the following Part:—

Rev. Stat.,  
c. 178,  
amended.

## PART XV.

### INSURANCE COMPANIES

211. In this Part, unless the context otherwise requires, the words and expressions defined in section 2 of *The Ontario Insurance Act, 1924*, as used herein, shall have the same meaning as in the said Act.

Interpreta-  
tion.

212.—(1) The provisions of this Part shall apply to all applications for incorporation of insurers intending to undertake contracts of insurance within Ontario, and to such insurers when incorporated, and to all insurers heretofore incorporated under the law of Ontario.

Application.

(2) Except where inconsistent with the provisions of this Part, the provisions of this Act shall apply to all such insurers.

*Incorporation of Joint Stock Insurance Companies.*

Incorporation.

213. A joint stock insurance company may be incorporated under the provisions of this Act for the purpose of undertaking and transacting any class of insurance for which a joint stock insurance company may be licensed under the provisions of *The Ontario Insurance Act, 1924*.

Notice.

214.—(1) Applicants for incorporation shall, immediately prior to the application, publish in at least four consecutive issues of the *Ontario Gazette* notice of their intention to apply, and shall also, if so required, publish elsewhere notice of such intention.

Notice to superintendent.

(2) Applicants for incorporation shall also give at least one month's notice of their intention to apply for incorporation to the Superintendent.

Capital stock of life company to be not less than \$500,000.

215.—(1) If the company undertakes life insurance the authorized capital stock shall be not less than \$500,000.

In other cases to be not less than \$300,000.

(2) If the company undertakes any one or more classes of insurance other than life, the authorized capital stock shall be not less than \$300,000.

Value of shares.

(3) The capital stock shall be divided into shares of \$100 each.

Application of moneys received on account of shares.

(4) All money received on account of shares shall be paid into a branch or agency in Ontario of some chartered bank of Canada or into a registered trust company in trust for the proposed corporation, and no money paid on account of shares before the first general meeting of the company has been organized shall be withdrawn or paid over to the company until after such meeting has been organized and an election of directors had thereat. R.S.O. 1914, c. 183, sec. 13.

Amalgamation.

216. Subject to the approval of the agreement of amalgamation by Order-in-Council pursuant to the provisions of *The Ontario Insurance Act, 1924*, the provisions of section 10 of this Act shall apply to the amalgamation of two or more joint stock insurance companies.

*Incorporation of Mutual and Cash-Mutual  
Insurance Corporations.*

- 217.—(1) A mutual or cash-mutual corporation with guarantee capital stock may be incorporated under the provisions of this Act for the purpose of undertaking and transacting any class of insurance for which a mutual or cash-mutual insurance corporation may be licensed under the provisions of *The Ontario Insurance Act, 1924.* Incorporation: with guarantee capital.
- (2) A mutual insurance corporation without guarantee capital stock may be incorporated under the provisions of this Act for the purpose of undertaking contracts of fire insurance on risks other than mercantile and manufacturing, weather insurance or live-stock insurance, on the premium note plan. Without guarantee capital.

*Mutual Fire Insurance Corporations without  
Guarantee Capital Stock.*

218. Ten freeholders in any municipality may call a meeting of the freeholders thereof to consider whether it is expedient to establish therein a mutual fire insurance corporation without guarantee capital stock to undertake contracts of fire insurance on risks other than mercantile and manufacturing, on the premium note plan. Meeting to establish corporation: how called.
219. The meeting shall be called by advertisement stating the time, place and object of the meeting; and the advertisement shall be published once in the *Ontario Gazette* and once a week for three successive weeks in a newspaper published in the county or district in which the municipality is situate. R.S.O. 1914, c. 183, s. 16. Advertisement calling meeting.
220. If thirty freeholders are present at the meeting and a majority of them determine that it is expedient to establish a mutual fire insurance corporation they may elect from among themselves three persons to open and keep a subscription book in which owners of real or personal property within Ontario may sign their names and enter the sum for which they shall respectively bind themselves to effect insurance with the corporation. R.S.O. 1914, c. 183, s. 17. Subscription book.

When meeting may be called.

221. When one hundred or more of such owners have signed their names in the subscription book and bound themselves to effect insurance in the corporation amounting in the aggregate to not less than \$250,000, a meeting shall be called as hereinafter provided. R.S.O. 1914, c. 183, s. 18.

How meeting to be called.

- 222.—(1) When the subscription has been completed, any ten of the subscribers may call the first meeting of the proposed corporation at such time and place within the municipality as they may determine by sending a printed notice by mail, addressed to every subscriber at his post office address at least ten days before the day of the meeting, and by advertisement in a newspaper published in the county or district in which the municipality is situate.

Contents of notice.

- (2) The notice and advertisement shall state the object of the meeting and the time and place at which it is to be held. R.S.O. 1914, c. 183, s. 19.

Election of directors.

- 223.—(1) At such meeting, or at any adjournment of it, the name and style of the company, which shall include the words "fire" and "mutual" shall be adopted, a secretary *ad interim* appointed, a board of directors elected as hereinafter provided and some central and generally accessible place within the municipality or within a municipality adjacent thereto, named, at which the head office of the company shall be located.

Quorum of meeting.

- (2) The presence of at least twenty-five of the subscribers shall be necessary to constitute a valid meeting.

Meeting of directors to elect president and officers.

- (3) As soon as convenient after the meeting the secretary *ad interim* shall call a meeting of the board of directors, for the election from among themselves of a president and vice-president, for the appointment of a secretary and a treasurer or a secretary-treasurer, or a manager and the transaction of such other business as may be brought before the meeting. R.S.O. 1914, c. 183, s. 20.

224.—(1) With the application for incorporation the applicants shall produce to the Provincial Secretary, certified as correct under the hands of the chairman and secretary:—

Certain documents to be delivered.

(a) A copy of the minutes of the meeting including all resolutions respecting the objects of the proposed corporation, its name or style and location of its head office;

(b) A copy of the subscription book;

(c) A list showing the names and addresses of the directors elected and of the officers appointed;

(d) Such further information as the Provincial Secretary may require.

(2) There shall also, for verification, be produced to the Provincial Secretary, if requested, the originals of such documents.

Production of originals.

225. The Provincial Secretary shall ascertain and determine whether the proceedings for the incorporation have been taken in accordance with the provisions of this Part, and whether the subscriptions are *bona fide* and by persons possessing property to insure. R.S.O. 1914, c. 183, ss. 21, 22.

Provincial Secretary to ascertain correctness of proceedings.

226. The Letters Patent or Supplementary Letters

Powers.

Patent shall limit the powers of a mutual fire insurance corporation without guarantee capital stock incorporated under the provisions of the preceding sections to undertaking contracts of fire insurance on risks other than mercantile and manufacturing on the premium note plan in accordance with the provisions of *The Ontario Insurance Act, 1924.*

*Incorporation of Mutual Live Stock Insurance Corporations without Guarantee Capital Stock.*

227.—(1) Ten owners of live stock in any municipality may call a meeting of the owners of live stock to consult whether it is expedient to establish a live stock insurance corporation upon the mutual plan.

Meeting to establish corporation;—how called.

Organiza-  
tion; applica-  
tion of  
several  
provisions.

- (2) The mode of calling such meeting and the proceedings for the formation of the corporation shall be the same *mutatis mutandis* as in the case of the formation of a mutual fire insurance corporation without guarantee capital stock except that the determination that it is expedient to establish the corporation shall be by thirty residents of the municipality being owners of live stock in Ontario, and that the meeting for the organization of the corporation shall not be held unless and until fifty owners of live stock in Ontario have signed their names to the subscription book and bound themselves to effect insurance in the corporation which in the aggregate shall amount to not less than \$50,000. R.S.O. 1914, c. 183, s. 233.

Powers of  
corporation.

228. The Letters Patent or Supplementary Letters Patent shall limit the powers of a mutual live stock insurance corporation incorporated under the provisions of the preceding sections, to undertaking contracts of insurance against loss of live stock by fire, lightning, accident, disease or any other means except that of design on the part of the insured or by the invasion of an enemy or by insurrection, on the premium note plan. R.S.O. 1914, c. 183, s. 234.

*Incorporation of Mutual Weather Insurance  
Corporations without Guarantee Capital  
Stock.*

Meeting to  
establish;—  
how called.

- 229.—(1) Ten owners of agricultural property in any municipality may call a meeting of the owners of agricultural property to consult whether it is expedient to establish therein a weather insurance corporation upon the mutual plan.

Organiza-  
tion.

- (2) The mode of calling such meeting and the proceedings for the formation of the corporation shall be the same *mutatis mutandis* as in the case of the formation of a mutual fire insurance corporation without guarantee capital stock except that the determination that it is expedient to establish the corporation shall be by thirty residents of the municipality being owners of agricultural property in

Ontario, and that the meeting for the organization of the corporation shall not be held unless and until fifty owners of agricultural property in Ontario have signed their names to the subscription book and bound themselves to effect insurance in the corporation which in the aggregate shall amount to not less than \$50,000. R.S.O. 1914, c. 183, s. 238.

230. The Letters Patent or Supplementary Letters Patent shall limit the powers of a mutual weather insurance corporation without guarantee capital stock incorporated under the provisions of the preceding sections, to undertaking contracts of insurance on the premium note plan on any kind of agricultural property against loss or injury arising from such atmospheric disturbances, discharges or conditions as the contract of insurance shall specify. Powers of corporation.

*Cash-Mutual Fire Insurance Corporations:  
Conversion of Cash-Mutual into Joint  
Stock Companies.*

231. No cash-mutual insurance corporation shall hereafter be incorporated unless formed with guarantee capital stock as hereinafter provided. Cash-mutual corporation.
232. Sections 233 to 238 shall apply only to cash-mutual fire insurance corporations licensed pursuant to the provisions of *The Ontario Insurance Act* prior to the 1st day of January, 1914. Application of ss. 233-238 to existing cash-mutual corporations.
- 233.—(1) A cash-mutual insurance corporation which now has a share or stock capital, with the assent of the Lieutenant-Governor in Council, may from time to time increase its share or stock capital to such an amount as he may deem expedient. Increasing share capital.
- (2) Notice of any application to the Lieutenant-Governor in Council under this section shall be published in at least four consecutive issues of the *Ontario Gazette*. Notice of application.
234. Every subscriber to such share capital shall, on allotment of one or more shares, become a shareholder of the corporation. Subscribers to become shareholders of corporation.

Insurance on cash plan not to constitute membership.

235. No insurance on the wholly cash plan shall make the insured a member of the corporation, or liable to contribute or pay any sum to the corporation, or to its funds, or to any other member thereof, beyond the cash premium agreed upon, or give him any right to participate in the profits or surplus funds of the corporation.

Dividends.

236. The net annual profits and gains of the corporation not including therein any premium notes shall be applied in the first place to pay a dividend on the share capital not exceeding the rate of ten per centum per annum, and the surplus, if any, shall be applied in the manner provided by the by-laws of the corporation.

When cash-mutual company may become a joint stock company.

237.—(1) A corporation which has surplus assets, not including premium notes, sufficient to re-insure all its outstanding risks may be formed into a joint stock company upon making application in the manner provided in this Act for the incorporation of joint stock insurance companies.

Approval of members and shareholders.

(2) The application shall not be made until approved by the members by a vote representing at least two-thirds of the amount of the unexpired risks, and if the corporation has share capital, by two-thirds in value of the shareholders, at an annual general meeting or at a special general meeting, and by three-fourths in number of the directors of the corporation in writing signed by them.

Notice of application.

(3) Notice of the intention to make the application, and of the consideration thereof at such meeting, shall be given by advertisement in the *Ontario Gazette* and in a newspaper published in the county or district in which the head office of the corporation is situate at least once a week for four successive weeks before the holding of the meeting.

Priority of members in subscribing to stock.

(4) Every person who is a member of the corporation on the day of the meeting shall be entitled to priority in subscribing to the capital stock of the corporation for one month after the opening of the books of subscription in the ratio that the insurance held by him bears to



the aggregate of the unexpired risks then in force.

238. Any corporation formed under the provisions of the next preceding section shall be answerable for all liabilities of the corporation from which it has been formed, and may sue and be sued under its new corporate name, and the assets and property of the old corporation shall be vested in the new corporation from the date of its formation. R.S.O. 1914, c. 183, ss. 25-32.

*Mutual Insurance Corporations with Guarantee Capital Stock.*

- 239.—(1) A mutual or cash-mutual insurance corporation may be formed with an authorized guarantee capital stock of not less than \$300,000 nor more than \$500,000. Vesting of assets and preservation of liabilities.
- (2) The guarantee capital stock shall be divided into shares of \$100 each. Amount of guarantee capital.
240. The shareholders of the guarantee capital stock shall be entitled to a semi-annual dividend of not more than four per centum on their respective shares if the net profits or unused premiums left after all expenses, losses and liabilities then incurred with the reserve for re-insurance are provided for, shall be sufficient to pay the same. Dividends.
241. The guarantee capital shall be applied to the payment of losses only when the corporation has exhausted its assets exclusive of uncollected premiums and when thus impaired, the directors may make good the whole or any part of it by assessments upon the contingent funds of the corporation at the date of such impairment. Payment of loss out of guarantee capital.
242. Shareholders and members of such corporations shall be subject to the provisions of this Act relative to their right to vote as applied to shareholders and policyholders in mutual or cash-mutual corporations incorporated without guarantee capital stock. Right to vote.
- 243.—(1) The said guarantee capital stock shall be retired when the profits accumulated equal two per centum of the insurance in force. Retirement of guarantee capital stock.

Retirement  
of guarantee  
capital  
stock.

- (2) The said guarantee capital stock may be reduced or retired by vote of the policyholders of the corporation with the assent of the Superintendent if the net assets of the corporation, above its reinsurance reserve and all other claims and obligations, exclusive of the guaranteed capital stock, for the two years last preceding, and including the date of its last annual statement, shall be not less than twenty-five per centum of the guaranteed capital stock.

Notice.

244. Notice of the intention of the corporation to reduce or retire the guarantee capital stock under the provisions of the preceding section shall be published in at least four consecutive issues of the *Ontario Gazette*, not less than thirty days before the meeting when such action may be taken and elsewhere if so required by the Superintendent.

Distribution  
of guarantee  
capital  
stock.

245. No mutual or cash-mutual insurance corporation with a guarantee capital stock which has ceased to do new business shall divide among its stockholders any part of its assets or guarantee capital except income from investments until it shall have performed or cancelled its policy obligations and upon proof to the Superintendent that such policy obligations have been performed or cancelled.

*Mutual and Cash-Mutual Insurance Corporations: Their Internal Management.*

Application  
of  
ss. 247-262.

246. Sections 247 to 262 shall apply only to mutual and cash-mutual fire insurance corporations and to mutual live stock and mutual weather insurance corporations.

Premium  
note plan.

- 247.—(1) Any person insured under a policy issued by a corporation shall, from the date upon which the insurance becomes effective, be deemed a member of such corporation.

Member's  
liability.

- (2) No member shall be liable in respect of any loss of claim or demand against the corporation beyond the amount unpaid upon his premium note.

- (3) Any member may, with the consent of the directors, withdraw from the corporation upon such terms as the directors may lawfully prescribe subject to the provisions of *The Ontario Insurance Act, 1924.* Members with-  
drawing.
- 248.—(1) A meeting of the shareholders and members for the election of directors shall be held within the first two months of every year at such time and place as may be prescribed by the by-laws of the corporation. Annual  
meeting for  
election of  
directors.
- (2) Before the election the annual statement for the year ending on the previous 31st day of December shall be presented and read. Annual  
statement.
249. If an election of directors is not made on the day on which it ought to have been made the company shall not for that cause be dissolved, but the election may be held on a subsequent day, at a meeting to be called by the directors or as otherwise provided by the by-laws of the company, and in such case the directors then in office shall continue to hold office until their successors are elected. Failure  
to elect  
directors.
- 250.—(1) Notice of every annual, general or special general meeting of the corporation shall be sent by post to every shareholder and member and shall be published in a newspaper published at or near the place where the head office is located at least two weeks previous to the day of the meeting. Notice of  
annual or  
special  
meetings.
- (2) The directors may convene a general meeting of the corporation at any time. Power of  
directors.
- 251.—(1) A member of the corporation shall be entitled at all meetings of the corporation to the number of votes in proportion to the amount of insurance held by him according to the following scale: Under \$1,500, one vote; \$1,500 to \$3,000, two votes; and \$3,000 or over, three votes; but no member shall be entitled to vote while in arrear for any assessment or cash payment due by him to the corporation. Voting  
powers of  
members.
- (2) Where a policy on the premium note plan is made to two or more persons one only shall Where  
policy made  
to two or  
more  
persons.

be entitled to vote, and the right of voting shall belong to the one first named on the register of policyholders if he is present, and if not present to the one who stands second, and so on.

Where property insured by trustee board.

- (3) Where property is insured by a trustee board any person duly appointed in writing pursuant to its resolution may vote on his behalf.

Right of mere applicants.

252. No applicant for insurance shall be competent to vote or otherwise take part in the corporation's proceedings until his application has been accepted by the directors.

Qualification of directors.

- 253.—(1) No person shall be eligible to be or shall act as a director unless he is a member of the corporation and insured therein for the time he holds office,

(a) In the case of a live stock insurance corporation to the amount of not less than \$200; and

(b) In the case of every other corporation to the amount of not less than \$800.

Where corporation has a share capital.

- (2) Where the corporation has a share capital, not less than two-thirds of the directors shall also be holders of shares each to the amount of not less than \$1,000 upon which all calls have been paid.

Representation of corporations.

- (3) The president or director of a member corporation which has the qualifications which would qualify an individual to be a director shall be eligible to be a director of the corporation.

Representation of partnerships.

- (4) Where a partnership has the qualifications which would qualify an individual to be a director of the corporation one member of the partnership shall be eligible to be a director of the corporation.

Number of directors.

- 254.—(1) The board shall consist of six, nine, twelve or fifteen directors, as shall be determined by resolution passed at the meeting held under section 222.

Increase or decrease in number, how made.

- (2) The number of directors may from time to time be increased or decreased if so determined

at a special general meeting of the corporation called for the purpose, or at an annual general meeting, if notice in writing of the intention to propose a by-law for that purpose at such annual meeting is given to the secretary of the corporation at least one month before the holding of the meeting; but the increased or decreased number of directors shall in any such case be six, nine, twelve or fifteen.

- (3) Where such a notice has been given to the secretary that fact shall be stated in the notice of the annual general meeting. Notice of proposed change.
- (4) With the copy of the by-law filed with the Superintendent there shall be filed a list of the directors elected thereunder certified under the hands of the chairman and secretary of the meeting. Copy of resolution and list of directors to be filed.
255. At any annual general meeting of the shareholders or members of a corporation, or at any special general meeting thereof, if such purpose was clearly expressed in the notice of the special general meeting, it shall be lawful to enact by-laws for the remuneration of the directors, and a certified copy of every such by-law shall, within seven days after its passing, be filed with the Provincial Secretary. Remuneration of directors.
256. One-third of the directors shall retire annually in rotation and at the first meeting of the directors, or as soon thereafter as possible, it shall be determined by lot which of them shall hold office for one, two or three years respectively, and the determination shall be entered on the minutes of the meeting. Retirement of directors in rotation.
257. At every annual general meeting thereafter one-third of the total number of directors shall be elected for a period of three years, to fill the places of the retiring directors, who shall be eligible for re-election. Annual election to fill vacancies.
258. The manager of the corporation, although he has not the qualifications required by section 253, may be a director of the corporation and may be paid an annual salary under a by-law passed as provided by section 255. Manager may be a director; his salary.

Certain persons not eligible as directors.

259.—(1) No agent or paid officer, or officer of the bankers of the corporation, or person in the employment of the corporation, other than the manager, shall be eligible to be elected as a director or shall interfere in the election of directors.

Fees of director taking application.

(2) Nothing herein shall apply to a person receiving applications for insurance, or taking to his own use the customary application, survey or policy fee, not exceeding \$1.50 in respect of any one policy, or prevent a director from so doing.

Election of directors.

260.—(1) The election of directors shall be held and made by such shareholders and members as attend for that purpose in their proper persons, or in the case of a corporation or partnership by a person authorized in writing to represent it.

Ballot.

(2) The election shall be by ballot.

Case of a tie at an election.

(3) If two or more members have an equal number of votes, so that less than the whole number to be elected appear to have been chosen directors by a majority of votes, the members present shall proceed to ballot until it is determined which of the persons so having an equal number of votes shall be the director or directors.

Election of president and vice-president.

(4) The directors shall at their first meeting after any such election elect by ballot from among themselves a president and vice-president, and the secretary shall preside at such election.

Interim vacancies in office.

261. If a vacancy occurs among the directors during the term for which they have been elected by death, resignation, ceasing to have the prescribed qualification, insolvency, or by absence without previous leave of the directors, from three successive regular meetings which shall, *ipso facto* create such vacancy, the vacancy, in the case of a board limited to six directors, shall be filled and in the case of a board limited to a number of directors exceeding six, may be filled, until the next annual general meeting, by any person duly qualified chosen by a majority of the remain-

ing directors as soon as may be after the vacancy occurs, and at the next annual general meeting the vacancy shall be filled for the portion of the term still unexpired.

- 262.—(1) Three directors shall constitute a <sup>Quorum of directors.</sup> quorum for the transaction of business, and in the case of an equality of votes at any meeting the question shall pass in the negative.
- (2) A director disagreeing with the majority at a <sup>Recording dissent.</sup> meeting may have his dissent recorded with his reasons therefor. R.S.O. 1914, c. 183, ss. 122-138.

*General.*

263. Subject to the approval of the agreement of <sup>Amalgamation.</sup> amalgamation by Order-in-Council pursuant to the provisions of *The Ontario Insurance Act, 1924*, the provisions of section 10 of this Act shall apply *mutatis mutandis* to the amalgamation of two or more mutual or cash-mutual insurance corporations.
- 264.—(1) Subject to the provisions of subsection 5 <sup>Reserve fund of mutual and cash-mutual insurance corporations.</sup> a mutual or cash-mutual insurance corporation may form a permanent reserve fund, to consist of such part of the net profits as may from time to time be set aside by the directors for that purpose or to be made up by annual assessments for that purpose not exceeding, for any single assessment, ten per centum on the premium notes held by the corporation, until the total of the fund reaches two per centum of the corporation insurance in force.
- (2) Such fund shall be held for the security of the <sup>Investment and income.</sup> insured and shall be subject to the provisions of this Act relating to the investment of the funds of insurance companies. The income from the fund shall be included in the general receipts of the company and shall constitute a part of the "net profits" if any, as defined in this section.
- (3) The fund so accumulated shall be used for the <sup>Use of reserve fund.</sup> payment of losses and expenses when the cash funds of the company in excess of an amount

equal to its liabilities (including guarantee capital if any) are exhausted; and when the said fund is drawn upon the allocation of profits or assessments as aforesaid may be renewed or continued until the limit of accumulation as herein provided is reached.

Reduction  
of fund  
prohibited.

- (4) The said fund may not be reduced by the payment of dividends to shareholders or members or by reduction of current premiums below the limit of two per centum of the insurance in force hereinbefore mentioned, but it may be increased beyond the said limit if the company so desires. *New.*

Application  
of section.

- (5) This section shall not apply to corporations undertaking life insurance nor to purely mutual fire insurance corporations insuring risks other than mercantile or manufacturing, upon the premium note plan, nor to purely mutual live stock or weather insurance companies, carrying on business on the premium note plan.

*Incorporation of Fraternal Societies.*

Incorporation

265. The Lieutenant-Governor may, by Letters Patent, grant a charter to any number of persons, not less than seventy-five, of the age of twenty-one years, who petition therefor, constituting such persons and any others who have signed the membership book, and persons who thereafter become members in the fraternal society thereby created, a corporation for the purpose of undertaking any class of insurance for which a fraternal society may be licensed under the provisions of *The Ontario Insurance Act, 1924.*

Notice.

266. Applicants for incorporation shall immediately prior to the application, publish in at least four consecutive issues of the *Ontario Gazette* notice of their intention to apply, and shall also, if so required, publish elsewhere notice of such intention.

Petition.

- 267.—(1) The applicants for the incorporation of a fraternal society may petition the Lieutenant-Governor for the grant of a charter.

Particulars.

- (2) The petition shall show:—



- (a) The proposed name of the fraternal society;
  - (b) The place within Ontario where the head office of the fraternal society is to be situated;
  - (c) The name in full, the place of residence and the calling of each of the applicants who are to be the first trustees or managing officers of the fraternal society;
  - (d) Such other information as the Provincial Secretary may require.
- (3) The petition shall be accompanied by the original membership book or list containing the signatures duly certified, of at least seventy-five persons who thereby agree to become members of the fraternal society if and when incorporated, by a copy of the proposed by-laws of the fraternal society, and by evidence that the approval of the Superintendent to the proposed by-laws and rules has been obtained. Other documents
268. Within thirty days after the issue of the Letters Patent, and upon due notice to all members of the society, an organization meeting of the society shall be held at which the by-laws shall be adopted and the officers of the society elected. *New.* Organization meeting.
- 269.—(1) Where a fraternal society licensed under the provisions of *The Ontario Insurance Act, 1924*, has its head office elsewhere than in Ontario, the grand or other Provincial body of the lodges or a majority of the lodges in Ontario may petition the Lieutenant-Governor for the grant of a charter and from the time of the issue of the Letters Patent, the applicants shall become a corporation for the purpose of undertaking any class of insurance for which a fraternal society may be licensed under the provisions of *The Ontario Insurance Act, 1924*. Incorporation of foreign fraternal society.
- (2) The provisions of section 265 shall apply to an incorporation under this section. Application of s. 265.
- (3) Before the issue of the Letters Patent evidence shall be produced to the Provincial Secretary that the approval of the Superintendent to the petition has been secured. Approval of Superintendent.

Incorporation of local branch.

270. An auxiliary or local subordinate body or branch of a licensed fraternal society may be separately incorporated by like proceedings and under the authority of the preceding section.

Amalgamation.

271. Subject to the approval of the agreement of amalgamation by Order-in-Council pursuant to the provisions of *The Ontario Insurance Act, 1924*, the provisions of subsection 5 of section 10 shall apply *mutatis mutandis* to the amalgamation of two or more fraternal societies.

Approval by members.

272. No application for Letters Patent confirming the agreement shall be made unless a certificate of the principal officer of the fraternal society party to the agreement duly verified under oath is filed with the Provincial Secretary showing that the principle of amalgamation has been approved by a vote of two-thirds of the members present or duly represented at the meeting of the supreme legislative or governing body of each of the said fraternal societies regularly called.

*Incorporation of Mutual Benefit Societies.*

Incorporation.

273. A mutual benefit society may be incorporated for the purpose of undertaking any class of insurance for which a mutual benefit society may be licensed under the provisions of *The Ontario Insurance Act, 1924*, and the provisions of this Part relating to fraternal societies shall apply *mutatis mutandis* to the incorporation of mutual benefit societies and to such societies when incorporated.

Name.

(2) The proposed name and style of a mutual benefit society incorporated under the provisions of this Act shall include the words "mutual benefit."

*Incorporation of Pension Fund Societies and Employees Mutual Benefit Societies.*

Application.

274. Sections 275 to 288 shall apply to Pension Fund Societies and to Employees' Mutual Benefit Societies incorporated under the provisions of this Part.

275. In sections 276 to 288:—

Interpreta-  
tion.

(a) "Parent Corporation" means the corpora-  
tion any of whose officers establish a pension  
fund and/or employees mutual benefit society  
under the provisions of this Part;

"Parent  
Corpora-  
tion."

(b) "Society" means a pension fund society  
and/or an employees mutual benefit society  
incorporated under the provisions of this  
Part.

"Society."

276. The Lieutenant-Governor may, by Letters  
Patent, grant a charter to the president, vice-  
president, general manager, assistant general  
manager, cashier, assistant cashier and in-  
spector of any corporation legally transacting  
business in Ontario under any Act of the  
Province of Ontario, or to any two of the said  
officials, with any other of the superior  
officers, constituting such persons, and the  
employees of such corporation who join the  
said society and those who replace them from  
time to time, a Pension Fund Society and/or  
Employees Mutual Benefit Society, and such  
society shall be a body corporate and politic.

Charter by  
Letters  
Patent.

277.—(1) The applicants for the incorporation  
of a society may petition the Lieutenant-  
Governor for the grant of a charter.

Application  
for charter.

(2) The petition shall show:—

Contents of  
petition.

(a) The proposed name of the society;

(b) The name of the parent corporation;

(c) The place within Ontario where the head  
office of the society is to be situated;

(d) The name in full and place of residence and  
calling of each of the applicants;

(e) The names, not less than five, of those who  
are to be the provisional directors of the  
society.

278.—(1) Notice of the proposed incorporation of  
such society shall be given by publication in  
the *Ontario Gazette* for four weeks and in  
such notice shall be given:—

Notice;  
contents of.

(a)

- (a) The exact name of the society;
- (b) The head office of the society; and
- (c) The name of the secretary thereof.

First  
meeting;  
election of  
directors.

279. The provisional directors shall have power to call the first meeting of the society, and at such meeting directors may be elected and by-laws may be passed under the provisions of this Act; and upon the passing of such by-laws, a copy thereof, shall be filed with the Provincial Secretary within two weeks after the passing thereof and copies of subsequent by-laws in amendment thereof, in addition thereto or diminution therefrom shall also be filed with the Provincial Secretary within two weeks from the passing thereof.

Directors.

280. The affairs of the society shall be administered by a board of directors who shall be appointed or elected in such manner, in such number, with such qualifications, and for such period as are determined by the by-laws; but at the first meeting of the society to be held under this Act five directors shall be elected, subject to addition to such number if so sanctioned by the by-laws, and other officers may be appointed in such manner, with such remuneration, and under such provisions touching their powers and duties as are established by the by-laws.

Powers and  
objects of  
society.

281. After its incorporation under this Act every Pension Fund and/or Employees Mutual Benefit Society shall have the power by means of voluntary contribution or otherwise as its by-laws provide, to form a fund, and may invest, hold and administer the same and from and out of the said fund may:—

- (a) provide for the support and payment of pensions to officers and employees of the parent corporation incapacitated by age or infirmity; and,
- (b) upon the death of such officers or employees, pay annuities or gratuities to their widows and minor children or other surviving relatives in such manner as by the by-laws may be specified;

(c)

- (c) provide for the payment of benefits to officers and employees of the parent corporation incapacitated by illness, accident or disability;
- (d) upon the death of such officers or employees, pay a funeral benefit in such manner as by the by-laws may be specified.

282.—(1) Every such incorporated society shall have all corporate powers necessary for the purpose of this Act and may make by-laws not contrary to law defining and regulating in the premises, and prescribing the mode of enforcement of, all the rights, powers and duties of

Power to  
pass  
by-laws.

- (a) the society;
  - (b) the individual members thereof;
  - (c) the officers and employees of the parent corporation;
  - (d) the widows and orphans or other surviving relatives of such officers and employees;
  - (e) the parent corporation.
- (2) Every such incorporated society may also make by-laws as aforesaid for:—
- (a) the formation and maintenance of the said fund;
  - (b) the management and distribution thereof generally;
  - (c) the enforcement of any penalty or forfeiture in the premises;
  - (d) the government and ordering of all business and affairs of the society.
- (3) No such by-law shall have any force or effect unless the same has been sanctioned by the board of directors of the parent corporation.

Additional  
by-laws.

Sanction of  
parent  
corporation.

283. All the powers, authority, rights, penalties and forfeitures whatsoever in the premises,

Enforce-  
ment of  
by-laws.

whether

whether of the society or of the individual members thereof, or of the officers and employees thereof, or of such widows and orphans and relatives, or of the parent corporation shall be such and such only and may be enforced in such mode and in such mode only, as by such by-laws shall be defined and limited.

Revenue

284. All the revenues of the society, from whatever source derived, shall be devoted exclusively to the maintenance of the society and the furtherance of the objects aforesaid of the said fund and to no other purpose whatever.

Contribution  
by parent  
corporation.

285. The parent corporation may, and it is hereby authorized to contribute annually or otherwise to the funds of the said society, by a vote of either its directors or its shareholders.

Prohibition  
against  
member  
assigning  
interest.

286. The interest of any member in the funds of the society shall not be transferable or assignable in any manner whatsoever by way of pledge, hypothecation, sale or security.

Special  
audit.

- 287.—(1) When it is shown to the satisfaction of the Provincial Secretary that the accounts of a society have been materially or wilfully falsified, or where there is filed in the office of the Provincial Secretary a requisition for audit bearing the signatures, addresses and occupations of at least twenty-five per cent. of the members of the society and alleging in a sufficiently particular manner to the satisfaction of the Provincial Secretary specific fraudulent or illegal acts, or the repudiation of obligations or insolvency, the Provincial Secretary may appoint one or more accountants or actuaries who shall, under his direction, make a special audit of the books and accounts and report thereon in writing verified upon oath to the Provincial Secretary.

Security  
for costs.

- (2) Where an audit is requested the persons requesting it shall, with their requisition, deposit with the Provincial Secretary security for the costs of the audit in a sum not exceeding \$300, and where the facts alleged in the requisition appear to the Provincial Secretary to have been partly or wholly disproved by

the audit he may pay the costs thereof partly or wholly out of the deposit.

- (3) The society, its officers and servants shall facilitate the making of such special audit so far as it is in their power, and shall produce for inspection and examination by the person so appointed such books, securities and documents as he may require. Duty of officers to facilitate special audit.
- (4) Subject to the provisions of subsection 2, the expense of such special audit shall be borne by the society, and the auditor's account, when approved in writing by the Provincial Secretary, shall be paid by the society forthwith. Expense of special audit.
288. Every society formed under this Act shall at all times when thereunto required by the Provincial Secretary make a full return of its assets and liabilities and of its receipts and expenditures for such period and with such details and other information as the Provincial Secretary requires. Return to Provincial Secretary.

#### *Investments.*

- 289.—(1) An insurer incorporated under and subject to the provisions of this Act may invest its capital, reserve, surplus and trust funds in any securities in which, under *The Trustee Act*, trustees may invest trust funds. Authorized Investments.
- (2) Any such insurer may lend its funds or any portion thereof on the security of any of the securities mentioned in the preceding subsection. Loans
- (3) Any such insurer undertaking life insurance, may lend on the security of its own life or endowment policies, but not in excess of the loan values of such policy. Loans by life insurer.
- (4) Where the constitution or rules of a corporation, branch or lodge prescribe the securities in which its funds shall be invested, nothing in this Act shall enlarge the power of investment. Effect of constitution and rules of certain insurers.

Disposal of unauthorized investments.

Directors' liability.

Exoneration.

- (5) The Superintendent may request any insurer to dispose of and realize any of its investments acquired after the passing of this Act and not authorized by this Act, and such insurer shall within sixty days after receiving such request absolutely dispose of and realize the said investments, and if the amount realized therefrom falls below the amount paid by such insurer for the said investments the directors of the insurer shall be jointly and severally liable for the payment to such insurer of the amount of the deficiency: Provided that if any director present when any such investment is authorized does forthwith, or if any director then absent does within twenty-four hours after he becomes aware of such investment and is able to do so, enter on the minutes of the board of directors his protest against the same, and within eight days thereafter gives notice of his protest by registered letter to the Superintendent, such director may thereby, and not otherwise, exonerate himself from such liability.

*Forfeiture for Nonuser  
or Discontinuance.*

When charter to be forfeited for non-user or discontinuance

- 290.—(1) If an insurer incorporated under the law of Ontario whether under this Act or under any general or special Act, does not go into actual *bona fide* operation within two years after incorporation, or if, after an insurer has undertaken contracts, such insurer discontinues business for one year, or if its license remains suspended for one year, or is terminated otherwise than by effluxion of time and is not renewed within the period of sixty days the insurer's corporate powers shall *ipso facto* cease and determine, except for the sole purpose of winding up its affairs; and in any action or proceeding where such nonuser is alleged proof of user shall be upon the insurer, and the Supreme Court upon the petition of the Attorney General, or of any person interested, may limit the time within which the insurer shall settle and close its accounts, and may for that purpose or for the purpose of liquidation generally appoint a receiver.



- (2) No such forfeiture shall affect prejudicially <sup>Rights of</sup> the rights of creditors as they exist at the date of the forfeiture. R.S.O. 1914, c. 183, s. 46.

*Winding Up.*

- 291.—(1) The provisions of Part XIII of this Act <sup>Application of Part XIII.</sup> relating to the winding up of companies shall apply to insurers incorporated under or subject to the provisions of this Act except where inconsistent with this Part.
- (2) Where the company, corporation or society <sup>"Insurer," etc., meaning of.</sup> is not constituted exclusively or chiefly for insurance purposes and the insurance branch and fund are completely severable from every other branch and fund of the company, corporation or society, the word "insurer" for the purposes of the following sections, shall mean only the insurance branch of the company, corporation or society. R.S.O. 1914, c. 183, s. 211. *Amended.*
- 292.—(1) When an insurer incorporated under or <sup>Notice to Superintendent.</sup> subject to the law of Ontario proposes to go into voluntary liquidation, at least one month's notice shall be given to the Superintendent of the intention to voluntarily wind up the insurer.
- (2) The notice shall state the date at which con- <sup>Contents of notice.</sup> tracts are to cease to be taken by the insurer also the name and address of the insurer's liquidator or the intention of the insurer to apply on a stated date for the appointment of a liquidator.
293. Where any insurer is wound up each person <sup>Unearned premium.</sup> contracted with on the cash plan shall be entitled to a refund from the insurer of the unearned proportion of the cash premium calculated from the date at which the insurer, according to the notice, ceased to undertake contracts; but this shall not effect any other remedy which such person shall have against the insurer. R.S.O. 1914, c. 183, s. 205. *Part.*
- 294.—(1) Upon a winding up under this Act, the <sup>Liquidator may reinsure policyholders.</sup> liquidators may without the consent of the

policyholders, arrange for the reinsurance of the contracts of its policyholders, in some duly licensed insurer, and for the purpose of securing such reinsurance, the entire assets of the insurer in Ontario shall be available except the amount required to pay the claims of the preferred creditors, the amount of the costs of liquidation, and the amount required to pay claims accrued under the insurers policy contracts, of which notice has been received by the insurer prior to the date such reinsurance is effected, all of which payments shall be a first charge upon the said assets of the insurer, and creditors of the insurer other than the policyholders and said preferred creditors shall be entitled to receive a dividend on their claims only if the said assets are more than sufficient to provide for the payments aforesaid and for the reinsurance of the contracts of the said policyholders.

Partial  
reinsurance  
if assets  
insufficient.

- (2) If the said assets of the insurer are insufficient to provide for the payment specified in the next preceding subsection and for the reinsurance of the contracts of the said policyholders in full, the reinsurance may be effected for such a percentage of the full amount of the contracts as the said assets will secure.

Approval by  
Court and  
superin-  
tendent.

- (3) No contract of reinsurance made in pursuance of this section shall become effective until approved by the Court and by the Superintendent.

Application,  
Part XIII.

- (4) In the event of the reinsurance provided for by this section being effected, the Court may in its discretion declare that any section of Part XIII of this Act shall not apply, and on such declaration being made the section so specified shall cease to apply to any of the parties concerned in the liquidation.

Employment  
of assets  
where  
complete re-  
insurance  
not effected.

- (5) If the liquidator fails to secure the reinsurance of the policyholders, in full or for a percentage thereof as hereinbefore provided, the said assets shall, subject to the payment of the costs of liquidation and the preferred claims be available to pay the claims of the

policyholders

policyholders calculated as at the date of winding up in the manner provided by *The Ontario Insurance Act, 1924*.

- (6) Nothing in this section shall prejudice or affect the priority of any mortgage lien or charge upon the property of the insurer. Secured creditors not affected.
- 295.—(1) Where, in the case of a fraternal society endowment or expectancy insurance is transacted and there exists an endowment fund separate and distinct from the life insurance fund then by resolution duly passed at a general meeting, ordinary or special, after at least one month's notice of such intended resolution, the society may determine that the endowment or expectancy shall be discontinued, and that the endowment or expectancy fund shall be distributed *pro rata* among the members then in good standing who are contributing to such fund according to the total contribution of such member. Resolution for distribution of endowment funds.
- (2) After the resolution has been assented to by the Superintendent and filed with the Provincial Secretary, the executive officers may proceed to ascertain the persons intended to rank upon the fund and may distribute the fund among those so entitled and such distribution shall discharge the society and all executive officers thereof from all further or other liability in respect of such fund and of the endowment or expectancy contracts undertaken by the society. Distribution of funds: effect of.
- (3) If all the members interested in the endowment or expectancy fund are also interested as holders of life insurance contracts, the general meeting, instead of determining that the endowment or expectancy fund shall be distributed, may determine that such fund shall be converted into or merged in a life insurance fund and after the resolution has been assented to and filed as provided in the preceding subsection, the endowment or expectancy fund shall become and be a life insurance fund. R.S.O. 1914, c. 183, s. 206 *Part*. Conversion into life insurance fund.

Renewal or continuance of license for winding-up purposes.

296. Notwithstanding anything in this Act or in *The Ontario Insurance Act* where an insurer is being wound up voluntarily the Superintendent may renew or extend the license of any insurer for the purpose of its winding up.

Winding-up under order of the Court.

297.—(1) In addition to the provisions of the preceding sections an insurer may be wound up by order of the Supreme Court whenever its license has expired or been withdrawn under the provisions of *The Ontario Insurance Act, 1924*, and has not been renewed after such expiry or withdrawal.

When winding-up commences.

(2) Where an insurer is wound up under the provisions of subsection 1 the winding up shall be deemed to commence at the beginning of the day from which the license of the insurer expired or was cancelled.

Books, etc., of corporation as evidence.

298.—(1) The books, accounts and documents of an insurer and the entries in the books of its officers or liquidators shall be *prima facie* evidence of the matters to which they relate as between an alleged debtor or contributory and the insurer.

Commencement of Part.

299. This Part shall come into force on the 1st day of January, 1925.

Rev. Stat., c. 178, s. 114, subs. 1, amended.

**11.**—(1) Subsection 1 of section 114 of *The Ontario Companies Act* is amended by adding at the end thereof the words “provided that where money has heretofore been or is hereafter advanced in good faith by way of mortgage or upon any other security or obligation to or for the use or benefit of a company which had not at the time of such advance taken out such certificate, nothing in this section shall affect or be deemed to have affected the right of the person making such advance or of his assignee or personal representative to enforce payment of the mortgage or other security or obligation held by him in respect of such advance.”

Certificate absence of not to prejudice bona fide creditors.

Commencement of section.

(2) This section shall come into force on the day upon which this Act receives the Royal Assent.

## CHAPTER 48.

## An Act respecting the Sale of Securities.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Sale of Securities Act, 1924*. Short title.

2.—(1) In this Act,—

Interpreta-  
tion.

(a) "Director" shall include a provisional director or a proposed director of a company and, in the case of an issuer other than a company, shall include a trustee, governor, member of an executive committee, and any other person acting in a capacity similar to that of a director;

(b) "Fraudulent" and "fraudulent act" shall include, "Fraudulent,"  
"Fraudulent act."

(i) any fictitious or pretended purchase or sale of securities;

(ii) any promise, representation or prediction as to the future not made in good faith;

(iii) the gaining or attempt to gain, directly or indirectly through the sale of any securities, a commission, fee or profit so large that the solvency of the issuer of the securities is thereby endangered, and any scheme, device or artifice to obtain such a commission, fee or profit;

(iv) Generally any course of conduct or business which is calculated or put forward with intent to deceive the public or the purchaser of any security as to the nature of any transaction or as to the value of such security;

(c) "Issuer" shall include every person who issues any

security

security sold, or to be sold, or offered or to be offered for sale;

"Person." (d) "Person" shall include a company, corporation, partnership, association, syndicate, trust, and organization, incorporated or unincorporated, except a municipal or school corporation;

"Prospectus." (e) "Prospectus" shall mean the document filed with the Provincial Secretary pursuant to the provisions of section 9 of this Act;

"Security." (f) "Security" shall include any share, stock, bond, debenture, debenture stock, investment contract, certificate, or other evidence of an interest in the property or undertaking of the issuer;

"Sale." (g) "Sale" shall include an agreement for sale;

"Underwriter." (h) "Underwriter" shall include a sub-underwriter and any other person who acts in the sale of securities to the public on behalf of the issuer, underwriter or sub-underwriter.

"Offered for sale." (2) If an issuer or any officer, agent or broker or any person employed or authorized by the issuer for that purpose, directly or indirectly invites or solicits either orally or by a prospectus, advertisement, circular or other means, any other person to apply or subscribe for or to purchase or otherwise acquire any security of the issuer, or if any underwriter, broker or other person who has subscribed for or to whom has been allotted, issued or assigned, a substantial portion of any issue of securities invites or solicits any person to apply or subscribe for or to purchase or otherwise acquire any of such securities, the securities shall for the purposes of this Act be deemed to be offered for sale by the issuer.

Application  
of Act.

**3.** This Act other than section 4, shall not apply,—

(a) to the issue and sale of securities in which trustees are authorized to invest trust funds under the laws of Ontario;

(b) to a mining partnership formed under and recorded pursuant to the provisions of *The Mining Act of Ontario*;

(c)

- (c) to an isolated transaction in which a security is sold or offered for sale, not being made in the course of repeated and successive transactions of a like character;
- (d) to any securities issued prior to 1st day of September, 1923, by any person other than a person resident, organized or incorporated outside of Canada, or to any securities offered for sale in Ontario before the coming into force of this Act;
- (e) to the issue or sale of such other securities as may from time to time be designated by order-in-council.

4.—(1) A Crown Attorney shall, when so required by the Attorney-General, and the Provincial Secretary or any Crown Attorney may, upon his own initiative, investigate the issue, sale, offer for sale and disposition of the proceeds of the sale of any securities. Investigation by Crown Attorney.

(2) For the purpose of such investigation, the Crown Attorney and the Provincial Secretary shall have the same power to summon and enforce the attendance of witnesses, and to compel them to give evidence on oath and produce documents and things, as is vested in any court in civil cases. Attendance of witnesses, etc.

(3) Immediately after such investigation the Crown Attorney shall make a report in duplicate to the Attorney-General, who shall thereupon transmit one of such copies to the Provincial Secretary. Report.

5.—(1) No person shall print, publish or advertise in any newspaper, magazine or other periodical, printed or published in Ontario, or shall otherwise issue, put forth or distribute in Ontario, any prospectus which has not been previously filed with the Provincial Secretary. Prohibition against advertising

(2) The fact of the said prospectus having been so filed may be proved by affidavit of the issuer, or of his agent duly authorized in writing, and the affidavit shall state that the said prospectus is identical with the last prospectus filed with the Provincial Secretary, and shall also state the date of such prospectus. Proof of filing.

6.—(1) Every advertisement or circular, other than a prospectus, being used or to be used for the purpose of promoting or aiding in the sale of securities, shall contain the Advertisement, form authorized.

name and address in Canada of the issuer or broker using the same stamped or printed thereon, immediately preceded by the following notice, which shall appear on the first page of the advertisement or circular in conspicuous type and enclosed in a ruled border.

“STATUTORY NOTICE TO THE PUBLIC.

“The full statutory information regarding the above [*here specify whether bonds, shares, or otherwise, as the case may be*] is contained in the prospectus filed with the Provincial Secretary of Ontario, at the Parliament Buildings, Toronto. A copy of the prospectus will be furnished by the undersigned on application.”

Filing,

(2) One copy of every such advertisement or circular shall forthwith be filed with the Provincial Secretary unless otherwise provided by the regulations.

Not to be  
inconsistent  
with  
prospectus.

(3) No such advertisement or circular shall contain any statements inconsistent with the prospectus.

Prospectus.

(4) The prospectus referred to in such advertisement or circular shall be the prospectus last filed with the Provincial Secretary.

Advertisement of  
fraudulent  
securities.

7. If the Provincial Secretary is of opinion that any securities which are being issued, sold or offered for sale are fraudulent, or that any fraudulent act is being or has been committed with respect thereto, he may, in his discretion, publish by advertisement, or in any other manner, information respecting such securities, or warning against the purchase thereof or an invitation to any prospective purchaser to apply to the Provincial Secretary for information in regard thereto.

Report by  
issuer.

8. The Provincial Secretary may, from time to time, require an issuer to make, within the time prescribed, a report upon or in connection with any security, or other matter to which this Act applies, and the report shall be verified by affidavit, or in such other manner as the Provincial Secretary may require.

Filing of  
prospectus.

9.—(1) The issuer of any security shall, forthwith, upon offering it for sale, file with the Provincial Secretary one copy of every prospectus relating to such security, and in the case of a mining company, an additional copy.



(2) The prospectus shall state on its face the date of its issue, and shall set forth, in a fair and unequivocal manner, Details of prospectus.

- (a) the name of the issuer and the address of the principal and head office of the issuer; Name and address.
- (b) if the issuer is an individual, his occupation, and if the issuer is not an individual particulars of the statute or instrument under which the issuer is constituted; Occupation or constitution.
- (c) the names in full, addresses, giving street and number, and occupations of the principal officers, directors or proposed directors or other persons acting in similar capacities; Names and addresses of directors.
- (d) the nature of the business or proposed business of the issuer, and if the issuer is a corporation a concise statement of its powers and objects; Nature of undertaking
- (e) the authorized capital, the issued capital, the paid up capital and the amount and particulars of all securities which are a charge on the assets and undertaking of the issuer; Capital.
- (f) the number and classes of securities into which the capital is divided; a description of the respective voting rights, preferences, rights to dividends, profits or capital of each class with respect to each other class; Classes of securities issued.
- (g) the amount of the proposed issue; Amount of issue.
- (h) the minimum subscription on which the issuer proposes to proceed to allotment; Minimum subscription.
- (i) the terms of the subscription agreement or application including the amount payable on application, on allotment and otherwise; Terms of subscription.
- (j) the amount and description of securities issued or proposed to be issued as fully or partly paid, for consideration other than cash, and particulars of such consideration; Securities issued for consideration other than cash.
- (k) the names and addresses of the vendors of any property purchased or acquired or proposed to be Vendors of property purchased.

purchased or acquired, which is to be paid for wholly or partly out of the proceeds of the issue, or the purchase or acquisition of which has not been completed at the date of the prospectus, and details of the amount payable in cash, securities or otherwise to the vendor, and where there is more than one vendor, or the issuer is a sub-purchaser, the amount so payable to each vendor; but where the vendors, or any of them, are a firm, the members of the firm shall not be treated as separate vendors;

Amount payable for property purchased.

- (l) the amount, if any, paid or payable as purchase money in cash, securities or otherwise for any property mentioned in the next preceding clause, specifying the amount, if any, paid or payable for good will and the nature of the interest of the issuer in such property, stating whether it is absolute or conditional ownership, under lease, option to purchase, or license of occupation;

Material contracts.

- (m) the dates of and parties to every material contract, and a reasonable time and place at which any material contract or a copy thereof may be inspected; provided that this requirement shall not apply to a contract entered into in the ordinary course of the business carried on or intended to be carried on by the issuer, or to any contract entered into more than three years before the date of the prospectus;

Particulars of interest of directors.

- (n) full particulars of the nature and extent of the interest, if any, of every director in the promotion of or in the property proposed to be acquired by the issuer, or where the interest of such director consists in being a partner in a firm, the nature and extent of the interest of the firm, with a statement of all sums paid or agreed to be paid to him or to the firm in cash or shares or otherwise by any person either to induce him to become, or to qualify him as, a director or otherwise for services rendered or to be rendered by him or the firm in connection with the promotion or formation of the issuer;

Disposition of proceeds of issue.

- (o) what portion of the proceeds of the sale of the securities sold or offered for sale has been or will be actually paid into the treasury of the original issuer for the necessary and proper purposes of such original issuer, and if no portion of the proceeds are being so paid, such fact shall be stated:

(p)

(p) the commission, if any, or what amount in lieu of <sup>Commis-</sup> commission, which has been or will be paid for <sup>sions.</sup> procuring subscriptions for the securities;

(q) the name and address of the printer legibly printed <sup>Name and</sup> thereon; <sup>address of</sup> <sup>printer.</sup>

(r) such further information as the Provincial Secretary <sup>Further</sup> may require or which may be prescribed by the <sup>informa-</sup> regulations. <sup>tion.</sup>

(3) In the case of a mining company, the Provincial Secretary shall transmit one copy of the prospectus to the Minister <sup>Mining</sup> of Mines. <sup>companies.</sup>

(4) When the issuer of any security is not domiciled in Ontario and has not filed the copy of the prospectus required <sup>Filing when</sup> by subsection 1, a prospectus containing the information <sup>issuer not</sup> required by subsection 2 hereof may be filed by a broker <sup>domiciled in</sup> registered under *The Brokers Registration Act.* <sup>Ontario.</sup>

(5) Every prospectus used by a broker for the purpose of <sup>Name and</sup> aiding in the sale of securities shall bear the name and address <sup>address of</sup> of such broker printed or stamped thereon in a conspicuous <sup>broker.</sup> manner.

(6) For the purposes of this section, the word "vendor" <sup>Meaning of</sup> shall include a person who has entered into a contract, <sup>"vendor."</sup> absolute or conditional, for the sale or purchase, or for an option of purchase, of any property to be acquired by the issuer where,

(a) the purchase money is not fully paid at the date of the prospectus; or

(b) the purchase money is to be paid or satisfied wholly or partly out of the proceeds of the issue offered for sale; or

(c) the contract depends for its validity or fulfilment on the result of such issue.

(7) Where any of the property to be acquired by the issuer is to be taken on lease, this section shall apply as if the <sup>"Vendor"</sup> expression "vendor" included the lessor, and the expression <sup>to include</sup> "purchase money" included the consideration for the lease, <sup>lessor,</sup> and the expression "sub-purchaser" included a sub-lessee. <sup>etc.</sup>

Verification  
of pros-  
pectus  
where issuer  
is a corpora-  
tion.

**10.—(1)** If the issuer is a corporation, the copy of the prospectus to be filed shall be signed by every director and proposed director named therein, and the statements made therein shall be verified by affidavit of a director, or by two directors if so required, or by a person having actual knowledge of the facts and having a substantial interest in the corporation or its undertaking.

Partnership.

(2) If the issuer is a partnership, the copy of the prospectus to be filed shall be signed by each of the partners and proposed partners named therein, and the statements made therein shall be verified by affidavit of a partner, or by two partners or proposed partners if so required.

Individual.

(3) If the issuer is an individual, the copy of the prospectus to be filed shall be signed by him, and the statements made therein shall be verified by his affidavit.

Other cases.

(4) If the issuer is not a corporation or a partnership or an individual, the copy of the prospectus to be filed shall be signed and the statements made therein shall be verified by affidavits of such persons, having knowledge of the facts and having substantial interests in the undertaking, as the Provincial Secretary may direct.

Broker.

(5) If the prospectus is filed by a broker pursuant to subsection 4 of section 9, the copy filed shall be signed by the broker, and the statement made therein shall be verified by affidavit made by him, and in such other manner as the Provincial Secretary may direct.

When  
agent of  
issuer may  
verify.

(6) The Provincial Secretary may, upon evidence satisfactory to him, permit the prospectus to be signed by an agent on behalf of a person required by this section to sign the prospectus; provided, that such agent is specifically authorized in writing for such purpose, and such authority, verified by affidavit, shall be attached to and filed with the copy of the prospectus.

Additional  
verification.

(7) The Provincial Secretary may require such additional verification of the statements made in the prospectus, and such additional information as he may deem necessary or desirable.

Right of  
subscriber or  
purchaser to  
prospectus.

**11.—(1)** Every subscriber for or purchaser of any security offered for sale shall be entitled, upon application within sixty days of such purchase to the issuer, broker or person by or through whom the sale is made, to a copy of the last filed prospectus relating to such security.

(2) Except where there has been a general public offering by advertisement or circular, every person obtaining by personal canvas a subscription for any security shall deliver a copy of the prospectus to and leave it with such subscriber or purchaser at the time of the subscription or purchase.

Duty of personal canvasser to deliver prospectus.

(3) Every order form or other document provided by the issuer, broker, or person by or through whom a sale is made, signed by a subscriber or purchaser, evidencing the subscription or purchase of any security, and every confirmation note or other document confirming a purchase of any security, shall have endorsed thereon, stamped or printed in conspicuous type and enclosed in a ruled border, the "Statutory Notice to the Public" set out in subsection 1 of section 6 of this Act.

Order forms and confirmation notes to contain "Statutory Notice."

**12.** Every subscription for, or purchase or other acquisition of securities shall, as against the issuer, and the signatories to the prospectus mentioned in section 9, be deemed to be induced by the prospectus, notwithstanding any term, proviso or condition thereof to the contrary.

Subscription, etc., to be deemed induced by prospectus.

**13.** Any condition requiring or binding a subscriber or an applicant for securities to waive compliance with any requirement of this Act or purporting to affect him with notice of any contract, document or matter not specifically referred to in the prospectus, shall be void.

Agreement to contrary void.

**14.—(1)** Every promoter, and every person who signs the prospectus mentioned in section 9 or who has authorized the issue of the prospectus, shall be liable to pay compensation to all persons who have subscribed or may subscribe for any security on the faith of such prospectus, for the loss or damage they may have sustained by reason of any untrue representation in the prospectus, or in any report or memorandum appearing therein, or by reference incorporated therein or issued therewith, unless it is proved that,

Liability of signatories of prospectus.

(a) after the issue of such prospectus and before allotment thereunder, he, on becoming aware of any untrue representation therein, withdrew his consent thereto, and gave notice of such withdrawal and of the reason therefor to the Provincial Secretary, and gave such notice thereof to the public and to subscribers for the security as the Provincial Secretary directed; or

(b) with respect to every untrue representation not purporting to be made on the authority of an expert, or of an official public document or record, that he

had

had reasonable ground to believe, and did up to the time of the allotment of the securities, believe, that the representation was true; or

- (c) with respect to every untrue representation purporting to be a statement by or contained in what purports to be a copy of an extract from a report or valuation of an expert that it fairly represented the statement, or was a correct and fair copy of or extract from the report or valuation, but the promoter or the person who signed or authorized the issue of the prospectus shall be liable to pay compensation as aforesaid, unless it is proved that he had reasonable ground to believe that the person making the statement, report or valuation was competent to make it; or
- (d) with respect to every untrue representation purporting to be a statement contained in what purports to be a copy of or extract from an official public document or record that it was a correct and fair representation of the statement or copy of or extract from such document or record.

Meaning of  
"promoter."

(2) In this section the word "promoter" shall mean any person who was a party to the preparation of the prospectus or of the portion thereof containing such untrue representation, but shall not include any person by reason of his acting solely in a professional capacity for persons engaged in procuring the issue of the securities.

Penalty.

**15.**—(1) Everyone who contravenes any provision of this Act, or who commits any fraudulent act, shall incur a penalty of not more than \$1,000, and for a second or any subsequent offence shall incur a penalty of not more than \$2,000, and in default of payment of any penalty so imposed shall be imprisoned for a period not exceeding six months.

Recovery of  
penalties.

(2) Any penalty imposed by or under the authority of this Act shall be recoverable under *The Ontario Summary Convictions Act*.

Evidence.

**16.** The filing of any document in the office of the Provincial Secretary shall be *prima facie* evidence of the knowledge on the part of the person signing such document of the falsity of any untrue statement or of any untrue representation therein contained.

Regulations.

**17.**—(1) The Lieutenant-Governor in Council may make regulations prescribing such further information as may be

required

required to be inserted in the prospectus and for fixing the fees payable on the filing of documents and for searches, and generally for carrying out the provisions of this Act.

(2) Such regulations shall be published in the *Ontario Gazette*. Publication of regulations.

**18.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation. Commencement of Act.

## CHAPTER 49.

## An Act respecting the Registration of Brokers.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Brokers Registration Act, 1924.*

Interpretation.

2.—(1) In this Act, unless the context otherwise requires,

“Broker.”

(a) “Broker” shall mean,—

(i) any person who engages either for the whole or part of his time either as principal, agent, salesman, or otherwise, in the business of offering for sale, selling or otherwise dealing in real property; and

(ii) any person who engages, either for all or part of his time, either as principal, agent, or otherwise, in the business of offering for sale, selling or otherwise dealing in securities issued by another person, or of underwriting any issue of securities or of purchasing or otherwise acquiring such securities from another person for the purpose of re-selling or offering for sale such securities for a commission or at a profit;

“Issuer.”

(b) “Issuer” shall include every person who issues any security sold, or to be sold, or offered or to be offered for sale, and any underwriter, broker or other person who has subscribed for, or to whom has been allotted, issued or assigned a substantial portion of any issue of securities who invites or solicits any person to apply or subscribe for, or to purchase or otherwise acquire such securities;

“Person.”

(c) “Person” shall include a company, corporation, partnership,



partnership, association, syndicate, trust and organization, incorporated or unincorporated, except a municipal or school corporation;

- (d) "Security" shall include any share, stock, bond, debenture, debenture stock, investment contract, certificate or other evidence of an interest in the property or undertaking of the issuer.

(2) If an issuer, or an officer, agent or broker or any person employed or authorized by the issuer for that purpose, directly or indirectly invites or solicits either orally or by a prospectus, advertisement, circular or other means, any other person to apply or subscribe for or to buy or otherwise acquire any security of the issuer, or any real property, such security and such real property shall, for the purposes of this Act, be deemed to be offered for sale.

3. Every broker shall, forthwith upon offering for sale any security or real property apply for registration pursuant to the provisions of this Act.

4. Every applicant for registration shall file in the office of the Provincial Secretary an application in writing, duly verified by affidavit, in such form, and giving such particulars with reference to the applicant, his character, reputation, previous employment, and the nature of his business, as may be required by the regulations.

5. The names and addresses of all persons registered as brokers shall be entered in a book which shall be kept in the office of the Provincial Secretary, and shall be open to public inspection.

6. Any broker shall, if requested by the Provincial Secretary, furnish security in a form and for an amount satisfactory to the Provincial Secretary, that he will faithfully comply with the provisions of this Act and of the regulations made hereunder.

7. The Provincial Secretary may, from time to time, require a broker to make, within the time prescribed, a report upon or in connection with any security, real property, or other matter to which this Act applies, and the report shall be verified by affidavit or in such other manner as the Provincial Secretary may require.

8.—(1) The Lieutenant-Governor in Council may make regulations fixing the fees for registration and the annual fees thereafter, prescribing the form of application, reports,

proceedings and other documents required by this Act or by any regulation made hereunder, exempting in whole or in part any person or class of persons from any of the provisions of this Act, and generally for the better carrying out of the provisions of this Act.

Publication  
of regula-  
tions.

(2) Such regulations shall be published in the *Ontario Gazette*.

Penalty.

**9.**—(1) Every person who contravenes any provision of this Act shall incur a penalty of not more than \$1,000, and for a second or any subsequent offence shall incur a penalty of not more than \$2,000, and in default of payment of any penalty so imposed shall be imprisoned for a period not exceeding six months.

Recovery of  
penalty.

(2) Any penalty imposed by or under the authority of this Act shall be recoverable under *The Ontario Summary Convictions Act*.

Commence  
ment of  
Act.

**10.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

## CHAPTER 50.

## An Act respecting Insurance.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Ontario Insurance Act*, Short title. 1924.

2. In this Act, except where inconsistent with the inter-<sup>Interpre-</sup>pretation sections of any Part, tation.

1. "Accident insurance" means insurance against loss <sup>"Accident insurance."</sup> arising from accident to the person of the insured; 1922, c. 61, s. 2 (1).
2. "Adjuster" means a person who, for compensation, <sup>"Adjuster."</sup> not being a barrister or solicitor acting in the usual course of his profession or a trustee or an agent of the property insured, directly or indirectly solicits the right to negotiate the settlement of a loss under a fire insurance policy on behalf of the insured or the insurer, or holds himself out as an adjuster of losses under fire insurance policies;
3. "Agent" means a person who, for compensation, not <sup>"Agent."</sup> being a duly licensed insurance broker or a person acting under the authority of subsection 13 or 14 of section 244, solicits insurance on behalf of any insurer or transmits, for a person other than himself, an application for or a policy of insurance to or from such insurer or offers or assumes to act in the negotiation of such insurance or in negotiating its continuance or renewal; 1922, c. 61, s. 16; *part*.
4. "Appeal" includes a judicial revision or review of a <sup>"Appeal."</sup> judgment, decision, order, direction, determination, finding or conviction, and a case stated or reserved, and a removal of proceedings by way of *certiorari* or otherwise; R.S.O. 1914, c. 183, s. 2 (4).

"Automobile."

5. "Automobile" includes all self-propelled vehicles, their trailers, accessories and equipment but not the
- rolling stock of a railway corporation, as defined by *The Ontario Railway Act*;

"Automobile insurance."

6. "Automobile insurance" means insurance against liability for loss or damage to persons or property caused by an automobile or the operation thereof and insurance against damage sustained by an automobile or the loss of an automobile; 1922, c. 61, s. 2 (3).

"Beneficiary."

7. "Beneficiary" means a person designated or appointed as one to whom or for whose benefit insurance money is to be payable;

"Bond insurance."

8. "Bond insurance" means guaranteeing the validity and legality of bonds issued by any province of Canada or by any city, county, town, village, school district, municipality or other civil division of any such province or by any private or public corporation; *new*.

"Broker."

9. "Broker" means a person who, for compensation, not being the licensed agent or a person acting under the authority of subsection 13 or 14 of section 244, acts or aids in any manner in negotiating contracts of insurance or placing risks or effecting insurance or in negotiating the continuance or renewal of such contracts for a person other than himself; 1922, c. 61, s. 16; *part*.

"Burglary insurance."

10. "Burglary insurance" means insurance against loss or damage by burglary, theft, or house-breaking; *new*.

"Cash mutual corporation."

11. "Cash-mutual corporation" means a corporation without share capital or with guarantee capital stock subject to repayment by the corporation, in respect of which the dividend rate is limited by its Act or instrument of incorporation, which is empowered to undertake insurance on both the cash plan and the mutual plan;

"Chief agency"

12. "Chief agency" means the principal office or place of business in Ontario of any licensed insurer having its head office out of Ontario; R.S.O. 1914, c. 183, s. 2 (10, 11).

13. "Contract," and "contract of insurance" mean and include every contract the subject matter of which is insurance, but where such words are used in a Part of this Act relating to a specific class of insurance they shall, when so used, mean a contract of the class of insurance to which the Part relates; *See* R.S.O. 1914, c. 183, s. 2 (14); "Contract."  
"contract  
of in-  
surance."
14. "Credit insurance" means insurance against the insolvency of debtors or against loss from giving or extending credit; "Credit  
insurance."
15. "Department" means the department of Insurance of Ontario; "Depart-  
ment."
16. "Due application" includes such information, evidence and material as the Superintendent requires to be furnished; and also the payment of the fees hereinafter prescribed in respect of any application, certificate or document required or issued by virtue of this Act; R.S.O. 1914, c. 183, s. 2 (17), (20), (22). "Due appli-  
cation."
17. "Endowment insurance" means an undertaking to pay an ascertained or ascertainable sum at a fixed future date, if the person whose life is insured is then alive, or at his death, if he dies before such date; R.S.O. 1914, c. 183, s. 2 (23); "Endow-  
ment  
insurance."
18. "Exchange" or "reciprocal or inter-insurance exchange" means a group of subscribers exchanging reciprocal contracts of indemnity or inter-insurance with each other through the same attorney; 1922, c. 62, s. 2; *part.* "Exchange"  
or "reci-  
procal or  
inter-  
insurance  
exchange."
19. "Explosion insurance" means insurance against damage to property of any kind caused by the explosion of natural or other gas, or caused by bombardment, invasion, insurrection, riot, civil war or commotion or military or usurped power; *new.* "Explosion  
insurance."
20. "Fidelity insurance" means insurance against the dishonesty, unfaithfulness, negligence, or default of employees, or trustees, or persons occupying public or private positions of duty, trust, confidence or agency; "Fidelity  
insurance."
21. "Foreign jurisdiction" includes any jurisdiction other than Ontario; R.S.O. 1914, c. 183, s. 2 (26), (27). "Foreign  
jurisdic-  
tion."

- "Forgery insurance." 22. "Forgery insurance" means insurance against loss sustained by reason of forgery;
- "Fraternal society." 23. "Fraternal society" means a corporation, society, order or voluntary association incorporated or formed and carried on for the benefit of its members and their beneficiaries and not for profit, which makes provision by its constitution and laws for payment to beneficiaries of benefits on the death or disability of its members; *new*.
- "Guarantee insurance." 24. "Guarantee insurance" means any contract whereby the insurer undertakes suretyship; or undertakes to pay money or perform a contract, trust or duty on default of another who is in the first instance liable for such payment or performance; and includes "fidelity insurance," and "title insurance"; R.S.O. 1914, c. 183, s. 2 (29).
- "Hail insurance." 25. "Hail insurance" means insurance against loss or damage to property by hail; *new*.
- "Head office." 26. "Head office" means the place where the chief executive officer of an insurer transacts his business; R.S.O. 1914, c. 183, s. 2 (30).
- "Inland marine insurance." 27. "Inland marine insurance" means marine insurance in respect of subjects of insurance at risk above the harbour of Montreal; R.S.O. 1914, c. 183, s. 2 (31).
- "Inland transportation insurance." 28. "Inland transportation insurance" means insurance against loss or damage to goods, wares, merchandise or property of any kind, including matter transmitted by mail, in transit otherwise than by water;
- "Insurance." 29. "Insurance" means a contract whereby one party, called the insurer, undertakes for a valuable consideration to indemnify the other, called the insured, against loss or liability from certain risks or perils to which the object of the insurance may be exposed, or from the happening of a certain event; *new*.
- "Insurance fund" or "insurance funds." 30. "Insurance fund" or "insurance funds," as applied to a fraternal society or as applied to any corporation not incorporated exclusively for the transaction of insurance, includes all money, securities for money and assets appropriated by the rules of the society or corporation to the payment of insurance liabilities or appropriated for the management of the insurance branch or department or division of the society, or

otherwise

otherwise legally available for insurance liabilities, but does not include funds of a trade union appropriated to or applicable for the voluntary assistance of wage earners unemployed or upon strike; R.S.O. 1914, c. 183, s. 2 (34).

31. "Insurance on the cash-plan" means and includes any insurance which is not mutual insurance; "Insurance on the cash-plan."
32. "Liability insurance" means insurance against liability for loss or damage to persons or property not provided for by a specific class of insurance herein defined and arising from any accidental cause; "Liability insurance."
33. "Licensed insurer" means an insurer licensed under the provisions of this Act. "Licensed insurer."
34. "Life insurance" means a contract by which the insurer undertakes to pay insurance money contingently on the death, or on the duration of the life, of a designated human being; "Life insurance."
35. "Live stock insurance" means insurance against loss occasioned by the death or sickness of, or accident to, animals, and includes insurance against the loss of offspring of such animals; *new*. "Live stock insurance."
36. "Lodge" includes a primary subordinate division, by whatever name known, of a fraternal society; R.S.O. 1914, c. 183, s. 2 (37). "Lodge."
37. "Minister" means that member of the Executive Council charged for the time being by the Lieutenant-Governor in Council with the administration of this Act; R.S.O. 1914, c. 183, s. 2 (40). "Minister."
38. "Mutual benefit society" means a mutual corporation formed for the purpose of providing sick and funeral benefits for its members, or for this and any other purposes except life insurance, but does not include a pension fund or employees' mutual benefit society incorporated under or subject to the provisions of *The Ontario Companies Act*; "Mutual benefit society."
39. "Mutual corporation" means a corporation without share capital or with guarantee capital stock subject to repayment by the corporation, in respect of which the dividend rate is limited by its Act or instrument of incorporation, which is empowered to undertake mutual insurance exclusively; *new*. "Mutual corporation."

"Mutual insurance."

40. "Mutual insurance" means a contract of insurance in which the consideration is not fixed or certain at the time the contract is made and is to be determined at the termination of the contract or at fixed periods during the term of the contract according to the experience of the insurer in respect of all similar contracts whether or not the maximum amount of such consideration is predetermined; R.S.O. 1914, c. 183, s. 2 (42).

"Ocean marine insurance."

41. "Ocean marine insurance" means all marine insurance other than inland marine insurance; *new*.

"Officer."

42. "Officer" includes any trustee, director, manager, treasurer, secretary or member of the board or committee of management of an insurer or any person appointed by the insurer to sue and be sued in its behalf; R.S.O. 1914, c. 183, s. 2 (44).

"Plate glass insurance."

43. "Plate glass insurance" means insurance against the breakage of plate or other glass, either local or in transit;

"Policy."

44. "Policy" means an instrument containing the terms of a contract of insurance;

"Premiums."

45. "Premium" means the single or periodical payment to be made for the insurance, and includes dues and assessments; *new*;

"Premium note."

46. "Premium note" means an instrument given as consideration for insurance whereby the maker undertakes to pay such sum or sums as may be legally demanded by the insurer, the aggregate of such sums not to exceed an amount specified in the instrument; R.S.O. 1914, c. 183, s. 2 (46).

"Property."

47. "Property insurance" means insurance against loss or damage to property arising from any accidental cause not provided for by a special class of insurance herein defined;

"Regulations."

48. "Regulations" means regulations made under the authority of this Act;

"Sick and funeral benefits."

49. "Sick and funeral benefits" includes insurance against sickness, disability or death under which the monies payable upon the happening of sickness,

disability



disability or death do not exceed the limits prescribed by section 226 of this Act; *new*.

50. "Sickness insurance" means insurance other than life insurance against loss through sickness or disability of the insured not arising from accident or old age; 1922, c. 61, s. 2 (4). "Sickness insurance."
51. "Steam boiler insurance" means insurance upon steam boilers and pipes, engines and machinery connected therewith or operated thereby, against explosion, rupture and accident and against personal injury or loss of life, and against destruction of or damage to property resulting therefrom; *new*. "Steam boiler insurance."
52. "Superintendent" means the superintendent of insurance and includes the deputy superintendent of insurance; "Superintendent."
53. "Title insurance" includes insurance whereby the insurer insures the validity of title to property real or personal or insures the legality and validity of written obligations or of other instruments; "Title insurance."
54. "Trade Union" means an organization of wage-earners of a particular trade or industrial calling constituted primarily and operated *bona fide* for regulation of wages and hours of labour as between employers and employed; but does not include a co-operative association or society; R.S.O. 1914, c. 153, s. 2 (53-55). "Trade Union."
55. "Upon proof" as applied to any matter connected with the licensing of an insurer or other person means upon proof to the satisfaction of the Superintendent; R.S.O. 1914, c. 183, s. 2 (56). "Upon proof."
56. "Weather insurance" means the insurance of any kind of property against loss or injury arising from such atmospheric disturbances, discharges or conditions as the contract of insurance shall specify; R.S.O. 1914, c. 183, s. 237. "Weather insurance."

## PART I.

## SUPERINTENDENT AND HIS DUTIES.

The Department of Insurance.

**3.** There shall continue to be a Department of Insurance and the same shall be presided over by the Minister. R.S.O. 1914, c. 183, s. 3.

Appointment of Superintendent of Insurance.

**4.—(1)** There shall continue to be a Superintendent of Insurance who shall be appointed by the Lieutenant-Governor in Council and be the deputy head of the Department. R.S.O. 1914, c. 183, s. 4 (1).

His duties. Report to Minister.

(2) The Superintendent shall have general supervision of the business of insurance within Ontario and he shall see that the laws, relating to the conduct thereof, are enforced and obeyed, and shall examine and report to the Minister from time to time upon all matters connected with Insurance. See R.S.O. 1914, c. 183, s. 4 (2, 3).

Deputy Superintendent of Insurance.

(3) The Lieutenant-Governor in Council may also appoint an officer to be called the Deputy Superintendent of Insurance who shall act as Superintendent during the absence or inability of the Superintendent and shall perform such other duties as are assigned to him by this Act, by the Lieutenant-Governor in Council, by the Minister, or by the Superintendent. R.S.O. 1914, c. 183, s. 4 (6).

Evidence.

**5.** For the purposes of his duties and in the exercise of his powers under this Act or under any other Act relating to Insurance, the Superintendent may require to be made and may take and receive affidavits, statutory declarations and depositions, and may examine witnesses upon oath; and he shall have the same power to summon persons to attend as witnesses, and to enforce their attendance, and to compel them to produce books, documents and things, and to give evidence as any court has in civil cases. R.S.O. 1914, c. 183, s. 5.

Oaths.

**6.** An oath required by this Act to be taken may be administered and certified to by the Superintendent or by any person authorized to administer oaths in Ontario. R.S.O. 1914, c. 183, s. 86.

Independence of Superintendent and officers.

**7.** Neither the Superintendent nor any officer under him shall be interested as a shareholder, directly or indirectly, in any insurance company doing business in Ontario. R.S.O. 1914, c. 183, s. 7.

8.—(1) Without a fiat of the Attorney-General, no action or proceeding shall be brought or taken against the Superintendent for anything done or omitted in the performance or intended or supposed performance of his duty under this Act, or under any other Act which imposes duties upon him. R.S.O. 1914, c. 183, s. 8.

Actions  
against  
Superin-  
tendent.

(2) The Superintendent may bring actions and institute proceedings in his name of office for the enforcement of any of the provisions of this Act or for the recovery of fees and penalties payable hereunder.

Superin-  
tendent may  
bring  
actions, etc.

(3) The Superintendent in his name of office shall be a necessary party to every action or proceeding brought for the recovery of fees and penalties payable hereunder. *New.*

Notice.

9.—(1) The Superintendent shall keep in the Department of Insurance the following books and records:

Records of  
Superin-  
tendent.

(a) A register of all licenses issued pursuant to this Act, in which shall appear the name of the insurer, the address of the head office, the address of the principal office in Canada, the name and address of the chief or general agent in Ontario, the number of the license issued, particulars of the classes of insurance for which the insurer is licensed, and such other information as the Superintendent deems necessary; *See R.S.O. 1914, c. 183, s. 66.*

License  
Register.

(b) A record of all securities deposited by each insurer with the Minister, naming in detail the several securities, their par value, their date of maturity and value at which they are received as deposit;

Securities  
record.

(c) A record of all claims of which notice of dispute has been filed pursuant to the provisions of this Act. *New.*

Claims  
record.

(2) The books and records required by this section to be kept in the Department shall be open to inspection at such time and upon payment of such fees as may be prescribed by the regulations. *New.*

Inspection.

10.—(1) The Superintendent shall cause to be published in the *Ontario Gazette* in July of each year a list of the insurers licensed at the date of the list, and shall from time to time cause notice of the license of an insurer not theretofore licensed and notice of suspension or cancellation or revivor of license to be given by publication in the *Ontario Gazette*.

Annual  
publication  
in *Ontario  
Gazette*.  
Notice of  
License.

Certificate  
of Superin-  
tendent  
evidence of  
license, etc.

(2) A certificate under the hand and seal of office of the Superintendent that on a stated day an insurer mentioned therein was or was not licensed under this Act, or that any insurer was originally admitted to license or that the license of any insurer was renewed, suspended, revived, revoked or cancelled on a stated day, shall be *prima facie* evidence of the facts stated in the certificate.

Evidence,  
filing of  
documents.

(3) A certificate of the filing of any document by this or any former Insurance Act required to be filed in the office of the Provincial Registrar or of the Superintendent shall be *prima facie* evidence of the filing if signed or purporting to be signed by the Deputy or Assistant or by the acting Deputy or Assistant Provincial Registrar or by the Superintendent as the case may be. R.S.O. 1914, c. 183, s. 84.

Superin-  
tendent to  
determine  
right of  
insurer to be  
licensed.

**11.** The duty of determining the right of any insurer in Ontario to be licensed under this Act, shall devolve upon the Superintendent subject to appeal as hereinafter provided, but nothing in this section shall affect the right of the Lieutenant-Governor in Council or of the Minister to suspend or cancel any license in the exercise of his authority under the provisions of this Act. R.S.O. 1914, c. 183, s. 67.

Decision of  
Superin-  
tendent.

**12.**—(1) Every decision of the Superintendent upon an application for a license shall be in writing and notice thereof shall be forthwith given to the insurer.

Certified  
copy.

(2) The insurer, or any person interested shall be entitled, upon payment of the prescribed fee, to a certified copy of the decision.

Stenographic  
report of  
evidence.

(3) The evidence and proceedings in any matter before the Superintendent may be reported by a stenographer sworn before the Superintendent to faithfully report the same. R.S.O. 1914, c. 183, s. 91.

Appeal.

**13.**—(1) An applicant for a license under this Act or any person who deems himself aggrieved by a decision of the Superintendent, may appeal therefrom to the Appellate Division of the Supreme Court.

When to be  
set down.

(2) The appeal shall be set down for argument at the first sitting of a Divisional Court which commences after the expiration of thirty days from the decision complained of.

Practice and  
procedure.

(3) The practice and procedure upon and in relation to the appeal shall be the same as upon an appeal from a judgment of a Judge of the Supreme Court, in an action. R.S.O. 1914, c. 183, s. 92.

**14.** The Superintendent may direct to an insurer any inquiry touching the contracts or financial affairs of the insurer and the insurer shall be bound to make prompt and explicit answer to any such inquiry, and shall in case of refusal or neglect to answer be guilty of an offence. R.S.O. 1914, c. 183, s. 108 (4).

Consequences of failure to answer inquiries.

**15.** The Superintendent, or any person authorized under his hand or seal of office, shall, at all reasonable times, have access to all the books, securities and documents of an insurer, which relate to contracts of insurance, and any officer or person in charge, possession, custody or control of such books, securities or documents who refuses or neglects to afford such access shall be guilty of an offence. R.S.O. 1914, c. 183, s. 94.

Superintendent to have access to books, etc., of an insurer.

**16.—(1)** It shall be the duty of the officers and agents of a licensed insurer, and of persons licensed hereunder, to furnish the Superintendent on his request with full information relative to any contract of insurance issued by the insurer which comes within the terms of sections 75 and 115 or relative to any settlement or adjustment under any such contract.

Duty to furnish information on request.

(2) The Minister may, at his discretion, instruct the Superintendent to visit the head office or chief agency from which the contract was issued, or the office of the adjuster, and inquire into such contract or settlement, and the provisions of section 15 shall apply *mutatis mutandis* to such inquiry. *New.*

Inspection.

**17.—(1)** The Superintendent shall visit personally, or cause a duly qualified member of his staff to visit at least annually the head office or chief office in Ontario of every licensed insurer other than an insurer incorporated and licensed by the Dominion of Canada and he shall verify the statements of the condition and affairs of each such insurer filed under this Act, and make such inquiries as are necessary to ascertain its condition and ability to provide for the payment of its contracts as they mature and whether or not it has complied with all the provisions of this Act applicable to its transactions and the Superintendent shall report thereon to the Minister as to all matters requiring his attention and decision.

Annual inspection of insurers.

(2) Where the head office of any such insurer is not in Ontario and the Superintendent deems it necessary and expedient to make a further examination into the affairs of the insurer and so reports to the Minister, the Minister may, in his discretion, instruct the Superintendent to visit the head office of such insurer to inspect and examine its affairs and to make such further inquiries as the Minister may require.

Examination of affairs of insurer.

Duty of officers and agents to facilitate examination.

(3) The officers or agents of such insurer shall cause the books and records of the insurer to be opened for the inspection of the Superintendent and shall otherwise facilitate such examination so far as it is in their power.

Production of books at head office or as Superintendent may direct.

(4) In order to facilitate the inspection of the books and records of an insurer the insurer may be required by the Superintendent with the approval of the Minister, to produce the said books and records at the head or chief office of the insurer in Ontario or at such other convenient place as the Superintendent may direct; the officer or officers of the insurer who have custody of the books and records shall be entitled to be paid by the insurer for the actual expenses of such attendance.

Examination of affairs of an insurer.

(5) The Superintendent with the approval of the Minister may cause abstracts to be prepared of the books and vouchers and a valuation to be made of the assets or liabilities of any such insurer and the cost thereof upon the certificate of the Superintendent approved by the Minister shall be paid by the insurer. R.S.O. 1914, c. 183, s. 204.

Expense of examination.

(6) Where the office of an insurer at which an examination is made pursuant to this section is out of Ontario, the insurer shall pay the account of the Department in connection with such examination upon the certificate of the Superintendent approved by the Minister. R.S.O. 1914, c. 183, s. 202.

Service of notice or process on Superintendent.

**18.**—(1) Where the head office of a licensed insurer is situate outside of Ontario, notice or process in any action or proceeding in Ontario may be served upon the Superintendent and such service shall be deemed service upon the insurer in the case of a corporation and upon members of the insurer in the case of an unincorporated body or association.

Insurer to file address.

(2) Every licensed insurer shall file in the office of the Superintendent notice of a post office address to which any such notice or process may be forwarded by the Superintendent and shall from time to time notify the Superintendent of any change in the address so filed.

Superintendent to forward notice or process forthwith.

(3) The Superintendent shall forthwith after the receipt of any such notice or process forward the same to the insurer by registered mail, postage prepaid, addressed in the manner last notified to him for this purpose by the insurer.

Annual Report.

**19.**—(1) The Superintendent shall prepare for the Minister from the statements filed by the insurers and from any inspection or inquiries made, an annual report, showing

particulars of the business of each insurer as ascertained from such statement, inspection and inquiries, and such report shall be printed and published forthwith after completion. R.S.O. 1914, c. 183, s. 202 (4), *part.*

(2) In his annual report the Superintendent shall allow as assets only such of the investments of the several insurers as are authorized by *The Ontario Companies Act*, or by their Acts or instruments of incorporation, or by the general Acts applicable to such investments. Permissible investments only to be allowed as assets.

(3) In his said report the Superintendent shall make all necessary corrections in the annual statements made by all licensed insurers as herein provided, and shall be at liberty to increase or diminish the liabilities of such insurers to the true and correct amounts thereof as ascertained by him in the examination of their affairs at the head office thereof in Ontario, or otherwise. Superintendent's corrections of annual statements.

(4) If it appears to the Superintendent, or if he has any reason to suppose, from the annual statements prepared and delivered to him by all insurers, that the value placed by any insurer, incorporated and licensed in Ontario, upon the real estate owned by it or any parcel thereof is too great, he may either require such insurer to secure an appraisal of such real estate by one or more competent valuers, or may himself procure such appraisal at the expense of the insurer, and the appraised value, if it varies materially from the statement or return made by the insurer, may be substituted in the said annual report of the Superintendent. Appraisal of real estate owned by insurer.

(5) In like manner, if it appears to the Superintendent, or if he has any reason to suppose, that the amount secured by mortgage or hypothec upon any parcel of real estate, together with the interest due and accrued thereon, is greater than the value of such parcel, or that such parcel is not sufficient for such loan and interest, he may procure an appraisal thereof, and if from the appraised value it appears that such parcel of real estate is not adequate security for the loan and interest, he may write off such loan and interest a sum sufficient to reduce the same to such an amount as may fairly be realizable from such security, in no case to exceed such appraised value, and may insert such reduced amount in his said annual report. Appraisal of real estate held as security for loans.

(6) In like manner, if it appears to the Superintendent, or if he has any reason to suppose, that the value of any other investments of the funds of the insurer is less than the amount of the value of the investments shown in the books of the insurer he may make or cause to be made an appraisal Appraisal of other investments.



of such security, and if from the appraised value it appears that the value of the securities as shown on the books of the insurer is greater than its true value as shown by the appraisal he may reduce the book value of the same to such amount as may fairly be realizable therefrom, and in no case to exceed such appraised value, and may insert such reduced amount in his said annual report.

## PART II.

### GENERAL PROVISIONS APPLICABLE TO INSURERS IN ONTARIO.

Application  
of Part.

**20.**—(1) This part shall apply to insurance undertaken in Ontario and to all insurers carrying on business in Ontario.

Undertaking  
insurance.

(2) Any insurer undertaking a contract of insurance which, under the provisions of this Act, is deemed to be made in Ontario, whether the contract is original or renewed except the renewal from time to time of life insurance policies, shall be deemed to be undertaking insurance in Ontario within the meaning of this Part. *New.*

Carrying on  
business.

(3) Any insurer undertaking insurance in Ontario, or which within Ontario sets up or causes to be set up any sign containing the name of an insurer, or which, within Ontario distributes or publishes or causes to be distributed or published any proposal, circular, card, advertisement, printed form or like document, or which within Ontario makes or causes to be made any written or oral solicitation for insurance, or which within Ontario issues or delivers any policy of insurance, or interim receipt or collects or receives or negotiates for or causes to be collected or received or negotiated for any premium for a contract of insurance or inspects any risk or adjusts any loss under a contract of insurance, or which prosecutes or maintains in Ontario any action or proceeding in respect of a contract of insurance, shall be deemed to be carrying on business in Ontario within the meaning of this Part. R.S.O. 1914, c. 183, s. 98 (3).

### *Licenses.*

Necessity of  
license.

**21.**—(1) Every insurer undertaking insurance in Ontario or carrying on business in Ontario shall obtain from the Minister and hold a license under the provisions of this Act. R.S.O. 1914, c. 183, s. 62 (1).

Prohibition  
of unlicensed  
insurance.

(2) Every insurer undertaking insurance or carrying on business in Ontario without having obtained a license as

required



required by this section, shall be guilty of an offence. R.S.O. 1914, c. 183, s. 98 (1).

(3) Any person who within Ontario does or causes to be done any act or thing mentioned in subsection 3 of the next preceding section on behalf of or as agent of an insurer not licensed under this Act or who receives directly or indirectly any remuneration for so doing shall be guilty of an offence. R.S.O. 1914, c. 183, s. 98 (6).

Prohibition against person acting on behalf of unlicensed insurer.

(4) A person who insures property with or insures the property of other persons where such insurance is reciprocal and for protection only and not for profit shall not be deemed to be an insurer within the meaning of this Act provided that such insurance is effected outside of Ontario and without any solicitation whatsoever in Ontario directly or indirectly on the part of the insurer. If and when Part XII of this Act comes into force, this subsection shall cease to be in force.

Exception.

**22.** Nothing in this Act shall prevent a licensed insurer which has lawfully effected a contract of insurance in Ontario from reinsuring the risk or any portion thereof with any insurer transacting business out of Ontario and not licensed under this Act. R.S.O. 1914, c. 183, s. 101.

Reinsurance with unlicensed insurer.

**23.**—(1) Upon due application and upon proof of compliance with this Act the Minister may issue a license to undertake contracts of insurance and carry on business in Ontario to any insurer coming within one of the following classes:

What insurers may be licensed.

- (a) Joint stock insurance companies;
- (b) Mutual insurance corporations;
- (c) Cash-mutual insurance corporations;
- (d) Fraternal societies;
- (e) Mutual benefit societies;
- (f) Companies duly incorporated to undertake insurance contracts and not within any of the classes mentioned in clauses *a*, *b*, *c*, *d* and *e*;
- (g) Reciprocal or inter-insurance exchanges;
- (h) Underwriters or syndicates of underwriters operating on the plan known as Lloyds.

Effect of  
license.

(2) A license issued pursuant to this Act shall authorize the insurer named therein to exercise within Ontario all rights and powers reasonably incidental to the carrying on of the business of insurance named therein which are not inconsistent with the provisions of this Act or with the terms of its Act or instrument of incorporation or organization.

Classes of  
insurance.

**24.**—(1) Subject to provisions of Parts of this Act particularly relating to classes of insurers mentioned in the preceding section, a license may be granted to an insurer to carry on any one or more of the following classes of insurance: Life insurance, accident insurance, sickness insurance, sick and funeral benefits, fire insurance, inland marine insurance, ocean marine insurance, inland transportation insurance, automobile insurance, guarantee insurance, liability insurance, hail insurance, weather insurance, live stock insurance, steam boiler insurance, plate glass insurance, explosion insurance, burglary insurance, bond insurance, property insurance and forgery insurance.

Licensing of  
new classes.

(2) Licenses may be issued to insurers to carry on any class of insurance not mentioned in the preceding subsection under and subject to such regulations as the Lieutenant-Governor in Council may prescribe.

Limited or  
conditional  
license.

(3) A license may be issued subject to such limitations and conditions as the Minister may prescribe. *New.*

Restrictions  
on granting  
licenses.

**25.**—(1) A license shall not be granted:

Joint stock  
companies.

(a) To a joint stock insurance company undertaking life insurance, unless the company shall furnish to the Superintendent satisfactory evidence that of the capital stock not less than \$200,000 has been *bona fide* subscribed for and allotted, and at least \$100,000 of the said subscribed stock has been paid up in cash;

(b) To a joint stock insurance company undertaking any one or more classes of insurance other than life, except upon proof:

(i) Where such company is undertaking insurance in Ontario only, that of the capital stock not less than \$50,000 has been *bona fide* subscribed and allotted, and at least \$25,000 of the said subscribed stock has been paid up in cash; and

(ii) where such company is undertaking insurance in Ontario and elsewhere, that of the capital

stock

stock not less than \$100,000 has been *bona fide* subscribed and allotted, and at least \$50,000 of said subscribed stock has been paid up in cash. R.S.O. 1914, c. 183, s. 62 (2).

(2) A license shall not be granted to a mutual insurance corporation, a cash-mutual insurance corporation, an insurance company mentioned in clause *f* of section 23, a reciprocal or inter-insurance exchange, or to an underwriter or syndicate of underwriters operating on the plan known as Lloyds, except upon proof that the net surplus of assets over all liabilities exceeds the amount fixed by the preceding subsection for the paid-up capital stock of joint stock insurance companies, and that such net surplus of assets over all liabilities together with the contingent liability of members, if any, exceeds the amount fixed by the preceding subsection for the subscribed and allotted capital stock of joint stock insurance companies for the respective classes of insurance mentioned therein. Other insurers.

(3) Subsection 2 shall not apply to a purely mutual insurance corporation incorporated under the law of Ontario and insuring only risks other than mercantile and manufacturing on the premium note plan. Application of sub-section 2.

(4) A license shall not be granted to any insurer except upon proof that such insurer has complied with the provisions of the respective Parts of this Act and Regulations applicable thereto. Application of other Parts.

(5) Except in the case of an insurer licensed by the Dominion of Canada a license shall not be granted to an insurer for the transaction of both fire and life insurance. R.S.O. 1914, c. 183, s. 64. No license for both fire and life insurance.

(6) An insurer incorporated or organized elsewhere than in Canada shall not be licensed until it is shown to the satisfaction of the Minister that the insurer has carried on successfully for a period of not less than five years the business for which a license is desired. R.S.O. 1914, c. 183, s. 65. Evidence by foreign insurer.

(7) Except in the case of an insurer incorporated and licensed by the Dominion of Canada, where the head office of an applicant for a license under this Act is situate outside of Ontario, a license shall not be granted except upon proof of the applicant's ability to provide for the payment at maturity of all its contracts. Evidence by insurer whose head office is outside of Province.

Information preliminary to license.

**26.** The Superintendent may require such notice of the application for a license to be given by publication in the *Ontario Gazette* and elsewhere as he deems necessary.

Documents to be filed by applicants for license.

**27.**—(1) Before the issue of a license to an insurer such insurer shall file in the office of the Superintendent the following documents:

- (a) A certified copy of the Act or other instrument of incorporation or association of the insurer and of its constitution and by-laws and regulations verified in a manner satisfactory to the Superintendent;
- (b) A certified copy of the last balance sheet of the insurer and auditor's report thereon;
- (c) If the head office of the insurer is outside of Ontario notice of the place where the chief office of the insurer in Ontario is to be situate;
- (d) Copies of all policy forms and forms of application for insurance proposed to be used by the insurer in Ontario;
- (e) Any other evidence or documents required by other Parts of this Act.

Evidence.

(2) The applicant for a license shall furnish such other evidence as the Superintendent may deem necessary that the requirements of this Act have been complied with and that the applicant is entitled to the license applied for.

Statement of expenses of organization.

**28.**—(1) Upon application being made for a license under this Act by an insurer incorporated after the commencement of this Act under any general or special Act of Ontario, there shall be submitted to the Superintendent a sworn statement setting forth the several sums of money paid in connection with the incorporation and organization of the insurer, and such statement shall, in addition, include a list of all unpaid liabilities, if any, in connection with or arising out of such incorporation and organization.

To what limited.

(2) Until the license is granted, no payments on account of expenses of incorporation and organization, shall be made out of the moneys paid in by shareholders except reasonable sums for the payment of clerical assistance, legal services, office rental, advertising, stationery, postage and expense of travel, if any.

(3) The Minister shall not issue the license until he is satisfied that all the requirements of this Act and of *The Ontario Companies Act*, as to the subscriptions to the capital stock, the payment of money by shareholders on account of their subscriptions, the election of directors and other preliminaries have been complied with, and unless he is satisfied that the expenses of incorporation and organization, including the commission payable for the sale of the stock of the insurer are reasonable.

Conditions precedent to issue of license.

**29.** An insurer which has applied for a license and has complied with the requirements of this Act and of *The Ontario Companies Act* shall be entitled to the license. R.S.O. 1914, c. 183, s. 62 (4).

Right to license.

**30.**—(1) Subject to the provisions of section 233 the license shall be in such form or forms for the different classes of insurers, as may be from time to time determined by the Minister, and shall specify the business to be carried on by the insurer.

Form of license.

(2) The license shall expire on the 30th day of June in each year, but may be renewed from year to year, provided that such license may be from time to time renewed for any term less than a year.

Term of license.

**31.** An insurer shall give notice in writing to the Superintendent of every disputed claim arising from loss insured under a contract made in Ontario within sixty days after proof of the loss or of the happening of the event upon which the insurance money is to become payable. See R.S.O. 1914, c. 183, s. 89 (3).

Notice of disputed claims to Superintendent.

**32.**—(1) Where written notice has been served on the Superintendent and upon proof of an undisputed claim arising from loss insured against in Ontario remaining unpaid for the space of sixty days after being due or of a disputed claim after final judgment in the regular course of law and tender of a legal valid discharge being unpaid, the license of the insurer shall *ipso facto* be null and void and shall be deemed to be cancelled.

Withdrawal of license for non-payment of undisputed claim or judgment.

(2) Such license may be revived and the insurer may again transact business if, within six months after notice to the Superintendent of the failure of the insurer to pay any undisputed claim or the amount of any final judgment as provided in this section, such undisputed claim or final judgment upon or against the insurer in Ontario is paid and satisfied. See R.S.O. 1914, c. 183, s. 56; *Part.*

Revival of license.

**33.** When the insurer fails to keep unimpaired the deposit, if any, hereinafter required, the Minister may suspend or

Failure to keep deposit unimpaired.

cancel

cancel the license of the insurer. R.S.O. 1914, s. 183, s. 47 (8).

Insufficiency of assets to be reported by Superintendent.

**34.**—(1) If the Superintendent, upon examination, or from annual statements, or upon other evidence, finds that the assets of any insurer are insufficient to justify the continuance of the insurer in business or to provide proper security to persons effecting insurance with the insurer in Ontario or that the insurer has failed to comply with any provision of law, or with the Act or instruments of incorporation or association of the insurer, he shall so report to the Minister. *New.*

When assets deemed insufficient.

(2) If it appears in the case of an insurer undertaking contracts of life insurance, that its policy reserves, and, in the case of any other insurer, that its unearned premiums, in both cases, respecting outstanding contracts within the meaning of sections 75 and 115, together with any other liabilities in Ontario, exceed its assets in Ontario, including the deposit in the hands of the Minister, the assets of the insurer shall be deemed insufficient to justify the continuance of the insurer in business within the meaning of the preceding subsection, and the Superintendent shall so report to the Minister.

Suspension or cancellation.

(3) If the Minister, after consideration of the report and after a reasonable time has been given to the insurer to be heard by him, and upon such further inquiry and investigation as he thinks proper to make, reports to the Lieutenant-Governor in Council that he concurs in the report of the Superintendent, the Lieutenant-Governor in Council may suspend or cancel the license of the insurer and prohibit the insurer from doing any further business or soliciting or undertaking in Ontario any insurance; and thereafter it shall be unlawful for the insurer to undertake insurance in Ontario or carry on business in Ontario until the suspension or prohibition is removed by the Lieutenant-Governor in Council. R.S.O. 1914, c. 183, s. 53.

Notice.

(4) Notice of such suspension or cancellation of the license shall be published in the *Ontario Gazette* and thereafter any person transacting business on behalf of the insurer except for winding-up purposes shall be guilty of an offence.

Limited or conditional license.

(5) Where the Superintendent has reported as provided in subsection 1, the Minister or the Lieutenant-Governor in Council may direct the issue of such modified, limited or conditional license as may be deemed necessary for the protection of persons in Ontario who have effected or effect contracts of insurance with the insurer.

Application to Dominion licensees.

(6) The provisions of this section shall not apply to an insurer incorporated and licensed by the Dominion of Canada,

but

but suspension or cancellation of the license by the Dominion of Canada shall *ipso facto* act as a suspension or cancellation of license under this Act.

**35.** Where the license of an insurer is suspended or cancelled under the provisions of this Act, it may be revived if the insurer makes good the deposit or the deficiency, as the case may be, to the satisfaction of the Minister. R.S.O. 1914, c. 183, s. 54. Revival of license.

#### *Deposits.*

**36.**—(1) Subject to the provisions of subsections 2 and 3 hereof, in sections 37 to 63 “insurer” shall be deemed to mean and include only joint stock insurance companies, cash-mutual insurance corporations, insurance companies mentioned in clause *f* of section 23 hereof, insurers which undertake life insurance except fraternal societies, and underwriters or syndicates of underwriters operating on the plan known as Lloyds. Meaning of “insurer” in ss. 37 to 63.

(2) The provisions of sections 37 to 63 shall not apply to an insurer which has upon deposit with the Government of the Dominion of Canada or of the province of Canada in which its head office is situate approved securities in the amount of not less than \$50,000. Application ss. 37 to 63 Dominion licensees.

(3) The provisions of sections 37 to 63 shall not apply to an underwriter or syndicate of underwriters which is a member of the Society known as Lloyds, incorporated by the Imperial Statute, *Lloyds Act, 1871*. Application to Lloyds.

(4) The expression “approved securities” in sections 36 to 63 shall mean and include on’y securities of or guaranteed by the Dominion of Canada or any province of Canada; securities of any incorporated municipality of Canada; and such other securities as are authorized for the investment of trust funds under the law of the province in which they are offered for deposit and approved by the Superintendents of Insurance of the provinces of Canada in which the insurer is carrying on business. Meaning of “approved securities.”

**37.**—(1) Every insurer carrying on the business of insurance in Ontario shall, before receiving a license under this Act, deposit approved securities with the Minister in the following amounts: Amount of deposit.

(a) Where the insurer undertakes life insurance—\$50,000;

(b) Where the insurer undertakes any one or more classes of insurance other than life;



(i) In Ontario only—\$25,000;

(ii) In Ontario and elsewhere—\$50,000.

*New.*

Excess  
deposit.

(2) The maximum deposit required from an insurer shall be \$50,000, but an insurer may voluntarily make a deposit in excess of the amount prescribed by this section, but no part of a voluntary deposit shall be withdrawn without the sanction of the Minister. R.S.O. 1914, c. 183, s. 48.

Value at  
which  
securities  
received.

**38.**—(1) The value of such securities shall be estimated at their market value, not exceeding par, at the time when they are deposited. R.S.O. 1914, c. 183, s. 49 (1).

Other  
securities.

(2) If any other than approved securities are offered as a deposit, the Minister may accept the same on such valuation and on such conditions as he may deem proper. *New.*

Further de-  
posit if  
below  
market  
value.

(3) If the market value of any securities which have been deposited by an insurer declines below that at which they were deposited, the Minister may notify the insurer to make such further deposit as will ensure the accepted value of all the securities deposited by the insurer being equal to the amount which is required by this Act to be deposited. R.S.O. 1914, c. 183, s. 49 (4).

Failure to  
make  
further  
deposit.

(4) On failure by the insurer to make such further deposit within sixty days after being called upon so to do, the Minister may suspend or cancel the license. *New.*

Title to  
securities.

(5) The property in any stock, bonds or debentures already deposited with the Minister under the provisions of *The Ontario Insurance Act*, or hereafter deposited under the provisions of this Act, shall be vested in the Minister by virtue of his office without any formal transfer while such stock, bonds or debentures form the whole or any part of the deposit required by this Act. R.S.O. 1914, c. 183, s. 49 (5).

Interest  
upon  
deposits.

(6) So long as the conditions of this Act are satisfied and no notice of any final judgment against the insurer or order for its winding-up, or for the distribution of its assets or for administration of its deposit is given to the Minister, the insurer shall be entitled to receive the interest upon the securities forming the deposit. R.S.O. 1914, c. 183, s. 55.

Substitution  
of securities.

**39.** Where an insurer desires to substitute other approved securities for securities deposited the Minister may permit the

substitution



substitution to be made. R.S.O. 1914, c. 183, s. 49 (6).

**40.**—(1) Where it is made to appear that any such insurer, <sup>Withdrawal of deposit in certain cases.</sup> having made a deposit with the Minister, is carrying on the business of insurance under license of the Dominion of Canada, or has made a deposit of the amount required in the preceding subsection with any other province of Canada, the insurer shall be entitled to withdraw the deposit with the Minister. R.S.O. 1914, c. 183, s. 52.

(2) If at any time it appears that an insurer has on deposit with the Minister under this Act a sum in excess of the <sup>Withdrawal of excess deposit.</sup> prescribed amount, the Minister, upon being satisfied that the interest of persons effecting contracts of insurance with the insurer in Ontario will not be prejudiced thereby, and upon giving such notice in the *Ontario Gazette* and taking such other precautions as he deems expedient, may authorize the withdrawal of the amount of such excess or such portion thereof as he deems advisable; but the Minister may authorize such withdrawal without giving notice. R.S.O. 1914, c. 183, s. 51.

**41.**—(1) An insurer which has ceased to transact business in Ontario and desires to obtain a return of its deposit may <sup>Return of deposit on ceasing to do business.</sup> give written notice to that effect to the Superintendent, and shall publish in the *Ontario Gazette* a notice that it has applied to the Lieutenant-Governor in Council for the return of its deposit, calling upon all claimants, contingent or actual, who object to the return to file their objections with the Superintendent on or before a day named in the notice, which shall not be less than three months after the first publication of it.

(2) Upon giving the notice to the Superintendent the insurer shall file with him a list of all its outstanding contracts <sup>Filing list of outstanding contracts.</sup> of insurance, including contracts in respect of which claims have accrued.

(3) After the day named in the notice, if the Minister is <sup>Return of deposit on proof of discharge of contracts.</sup> satisfied that the insurer has obtained a discharge of all such outstanding contracts, the Lieutenant-Governor in Council may direct that the deposit be returned.

(4) If the Minister is not satisfied that all such contracts <sup>Return of part of deposit.</sup> have been discharged the Lieutenant-Governor in Council may direct that a sufficient amount be retained to meet the contracts unprovided for and that the remainder of the deposit be returned, and thereafter from time to time as such contracts

lapse or proof is adduced that they have been satisfied further return of the deposit may be directed by the Lieutenant-Governor in Council. R.S.O. 1914, c. 183, s. 61.

Transfer of  
deposit on  
purchase or  
reinsurance.

**42.**—(1) Where a licensed insurer, hereinafter called the continuing insurer, has, by purchase or otherwise, acquired the assets and assumed the liabilities, within Ontario, of another licensed insurer, hereinafter called the discontinuing insurer, or reinsured all the contracts of a discontinuing insurer outstanding within Ontario, the Lieutenant-Governor in Council may, upon the application of the continuing insurer, and upon the report of the Superintendent, direct the transfer of the deposit held by the Minister under the provisions of this Act in the name of the discontinuing insurer to the continuing insurer.

Transferred  
deposit -  
how dealt  
with.

(2) In any such case the deposit so transferred shall thereafter be treated and dealt with under the provisions of this Act in the same manner as though it had been originally deposited by the continuing insurer.

#### *Administration of Deposit.*

Deposit  
subject to  
adminis-  
tration.

**43.** The deposit made by any insurer under this Act shall be subject to administration in the manner hereinafter provided. *New.*

Deposit  
security for  
certain con-  
tracts only.

**44.**—(1) Subject to the provisions of subsection 2, creditors of the insurer in respect of claims under contracts of insurance which have for their subject property in Ontario or property in transit to or from Ontario, or the life, safety, fidelity or insurable interest of some persons resident, or whose head office is situate in Ontario, or where the contract itself makes the payment thereunder primarily payable to some resident of Ontario, or to some incorporated company the head office of which is situate in Ontario, shall be entitled to share in the proceeds of the deposit. R.S.O. 1914, c. 183, s. 57 (1). *Amended.*

Rights of  
policy-  
holders  
living out-  
side  
Province.

(2) Where by virtue of legislation in another province a licensed insurer is admitted to undertake insurance in that province upon making a deposit with the Minister for the benefit of policyholders in Ontario and that province jointly, policyholders resident in such province and policyholders whose insured property is situate in that province shall rank *pari passu* with those resident in Ontario, or whose insured property is situate in Ontario, in the administration of the deposit. *New.*

Who may  
make  
application.

**45.**—(1) Application for administration may be made to the Superintendent by any person entitled to share in the proceeds of the deposit.

(2) In any case in which a deposit is, by virtue of reciprocal legislation in another province, held for the benefit of policyholders resident in such province, application may also be made by the Superintendent of Insurance or the Minister in charge of the Department of Insurance in such province. Application by Minister or Supt. in another Province.

**46.**—(1) An order for administration of the deposit of any insurer may be made by the Superintendent, with the approval of the Minister at any time when, in his opinion, it is necessary or desirable for the protection of creditors entitled to share in the proceeds of the deposit. *New.* When order for administration may be made.

(2) Any applicant for administration shall be entitled to an order for administration upon proof: Evidence.

- (a) That the license of the insurer has been cancelled, and that its assets are insufficient to discharge its outstanding contracts; or
- (b) That an order has been made for the winding-up of the insurer; or
- (c) That the insurer has failed to pay any undisputed claim arising under any contract of insurance in respect to which the deposit is subject to administration for the space of sixty days after it is due, or has failed to pay a disputed claim after final judgment and tender of a legal, valid discharge. R.S.O. 1914, c. 183, s. 56 (3).

(3) No order for administration shall be made unless and until at least two clear days' notice of the intention of the Superintendent to make such an order or of the application for such an order has been served upon the insurer, or where the insurer is in liquidation, upon the liquidator of the insurer, and, where the deposit is, by virtue of reciprocal legislation in another province, held for the benefit of policyholders resident in such province upon the Superintendent of Insurance or Minister in charge of the Department of Insurance in such province. R.S.O. 1914, c. 183, s. 56 (4). Notice.

**47.** The administration proceedings shall not affect any winding-up of the insurer and shall be carried on independently of such winding-up. Relation to winding-up of insurer.

**48.** The property in the securities deposited with the Minister under the provisions of this Act shall, upon the making of an order for the administration of the said deposit, vest in the Superintendent and may be held, sold or dealt with by him for the benefit of creditors entitled to share in the

proceeds of the deposit in such manner and after such notice and formalities as he deems proper.

Superintendent to take charge of administration.

**49.**—(1) Where an order for administration is made, the Superintendent shall proceed to administer the deposit in the manner hereinafter provided.

Expenses of administration.

(2) For the purposes of the administration the Superintendent may engage such clerical and other assistance and make such other disbursements as he may deem necessary and proper, and expenses so incurred shall be forthwith payable by him out of the proceeds of the deposit.

Notice of Order and date within which claims must be filed.

**50.** The Superintendent shall forthwith after an order of administration is made, fix a date within which all claimants against the deposit shall be required to file their claims, and publish in the *Ontario Gazette* and in the official *Gazette* of each province in which the insurer carries on business, and in two newspapers published at or nearest to the place where the head office of the insurer is situate, and in such other manner as he may deem necessary and proper, notice that an order for the administration of the deposit of the insurer has been made and calling upon all claimants to file their claims on or before the date so fixed by him.

Insurer to furnish statement of insurer, the agents of the insurer or upon the liquidator to furnish a statement of all its outstanding contracts and of the persons entitled to share in the proceeds of the deposit.

**51.**—(1) The Superintendent shall forthwith call upon the

Access to books and records of insurer.

(2) The books, financial statements, policy records, schedules, accounts and vouchers of any insurer in respect of whose deposit an order for administration has been made, whether in the custody of the insurer, agents of the insurer or the liquidator, shall be accessible to the Superintendent or to any person authorized under his hand and seal; and any insurer or any officer thereof, or any agent or liquidator who refuses or neglects to afford such access shall be guilty of an offence.

Priorities: other than life insurance.

**52.**—(1) Except in the case of life insurance, claimants in respect of judgments obtained and claims accrued or matured at the date of the administration order shall be entitled to payment of their proved claims in full in priority to claimants in respect of unearned premiums and, subject thereto, claimants in respect of unearned premiums shall be entitled to claim such part of the premium paid as is proportionate to the period of their contracts respectively unexpired at the date of the administration order or at the date of the winding-up of the insurer if a winding-up order was previously made.

(2) In the case of life insurance, claimants in respect of judgments obtained and claims accrued or matured, shall rank in the distribution of the proceeds of the deposit *pari passu* with claimants in respect of unmatured contracts, and claimants in respect of unmatured contracts shall be entitled to claim for the full amount of the legal reserve in respect of their contracts determined according to the valuation thereof approved by the Superintendent in accordance with the provisions of this Act.

53. A person who holds security for his claim under a contract of insurance, or who is entitled to share in the administration of a fund deposited with the Government of any other province for the protection of persons resident in that province shall only be entitled to share in the administration of the Ontario fund if he abandons such special security and releases his claim upon any other Government fund.

54. The holder of a policy or contract of insurance which matures or upon which a claim accrues within thirty days after the making of the administration order, shall be entitled to claim as a creditor at any time before the date fixed by the Superintendent within which all claims must be filed or within thirty days thereafter, for the full amount of such claim; provided that no claim which accrued after the expiration of the thirty days hereinbefore mentioned shall rank upon the deposit, unless or until there is sufficient to pay all other creditors in full.

55.—(1) The Superintendent shall give notice to claimants who have sent in their claims to him, or of whose claims he has notice, and whose claims he considers should not be allowed without proof, requiring such claimant to attend before him on a day named in such notice and prove their claims.

(2) In case any claimant does not attend in pursuance of such notice, his claim shall be disallowed, unless the Superintendent sees fit to grant further time for the proof thereof.

(3) If any claimant attends in pursuance of such notice the Superintendent may on hearing the matter, make an order allowing or disallowing his claim in whole or in part.

56.—(1) All claimants notified to attend before the Superintendent to prove their claims and all parties interested in such claims may be represented before the Superintendent by counsel and the Superintendent may make such order as seems proper to him in respect to the payment of the costs of the parties so attending as amongst themselves or out of the proceeds of the deposit.

**Record.** (2) A record of all correspondence, documents and evidence taken before the Superintendent relating to each disputed claim, together with a copy of the order of the Superintendent, shall be preserved in the office of the Superintendent.

**Appeal.** **57.**—(1) Any claimant, or any person interested in any claim may, at any time within fifteen days of the making by the Superintendent of an order with respect to any disputed claim, serve upon the Superintendent and upon all persons parties to the proceedings before the Superintendent, notice of his intention to appeal from the order of the Superintendent.

**Notice.** (2) Such notice shall be served at least ten clear days before any notice of appeal is filed with the Court.

**Procedure on appeal.** (3) The practice and procedure upon appeal from an order of the Superintendent shall be the same, as nearly as may be, as upon an appeal from a judge in the trial of an action.

**Record.** (4) The Superintendent upon receiving notice of the intention of any claimant or interested party to appeal, shall forthwith certify the record, which shall include the correspondence, the documents and evidence relating to the claim and transmit the same with a copy of his order to the Registrar of the Supreme Court.

**Schedule of claimants.** **58.**—(1) The Superintendent shall prepare schedules of claimants showing those persons who appear by the books and records of the insurer to be entitled to share in the proceeds of the deposit and those persons who have filed claims pursuant to notice and whose claims have been approved by him, together with the name and address of each claimant, the particulars of the contract of insurance upon which the claim is based and the amount for which each claimant is entitled to rank upon the fund.

**Filing of schedules: Notice.** (2) A copy of the completed schedules certified by the Superintendent shall be duly filed in his office at Toronto and notice of such filing shall forthwith be given by him in the manner provided in section 50 for the publication of the notice of the making of an order of administration.

**Inspection: Notice of dispute.** (3) Thereupon the schedules shall be open to inspection and, at any time within fifteen days after publication of the notice of such filing, any claim ranked or omitted to be ranked in such schedules may be contested by any person interested by serving a notice of dispute upon the Superintendent.

**Hearing of disputed claims: Procedure.** (4) The provisions of the next three preceding sections, relating to proof of claims before the Superintendent and appeal from the order of the Superintendent in that behalf,

shall

shall apply, *mutatis mutandis*, to claims of which a notice of dispute is served pursuant to the provisions of the preceding subsection.

(5) At the expiration of fifteen days after publication of the notice of filing of the schedules, the claims as allowed in the schedules shall be deemed to be final and binding, except in cases where notice of dispute has been filed or appeals from an order of the Superintendent are pending, and all claims of which notice has not been received, and which are not shown in the schedules, shall be forever barred. When claims barred.

**59.** At any time before the filing of the schedules as aforesaid, the Superintendent may arrange with any licensed insurer for the reinsurance by such insurer of the outstanding risks or any class thereof of the insurer and apply such part of the proceeds of the deposit as may be agreed upon as the consideration for such reinsurance and, in such case, the arrangement for reinsurance shall be in lieu of all claims for unearned premiums in respect of the contracts so reinsured. Reinsurance in lieu of claims.

**60.** Where the Superintendent is of opinion that the proceeds of the deposit should be distributed while appeals from his orders are still pending, and while there are contingent claims still undetermined, he may before making such distribution, set aside a reserve estimated by him to be sufficient to cover all such disputed or contingent claims and the expenditure necessary to complete the administration. Reserve for disputed or contingent claims.

**61.**—(1) The Superintendent shall prepare a statement of his account verified by affidavit, including particulars of the disposition of the securities deposited by the insurer under the provisions of this Act, and of all moneys received and disbursed by him in connection with the administration, together with all accounts and vouchers relative thereto. Statement of accounts.

(2) The Superintendent shall submit his accounts to the Master of the Supreme Court of Ontario who shall appoint a day for the passing thereof and require such notice of the appointment for passing the accounts to be given as he may deem necessary and proper. Passing of accounts before Master

(3) The Master may make an order allowing or disallowing any item of the accounts and, in any such order, shall allow the Superintendent such remuneration for the performance of his duties in administering the deposit as he may deem proper, and determine the rate of dividend payable to claimants according to their respective priorities. Order of Master as to accounts and rate of dividend.

**62.**—(1) Forthwith after the passing of his accounts by the Master the Superintendent may proceed to distribute the Distribution of proceeds of deposit.

proceeds



proceeds of the deposit, less any reserve he may set aside pursuant to the provisions of section 60, *pro rata* among the claimants in accordance with the schedule and the rate of dividend determined by the Master.

Claimant  
may rank on  
general  
estate of  
insurer for  
unpaid  
balance of  
claims.

(2) Where the proceeds of the deposit are not sufficient to pay all claims in full, the acceptance of any dividend out of such proceeds shall not prejudice the right of any claimant to rank as a creditor upon the general estate of the insurer for the unpaid balance of such claim or bar any recourse policyholders may have, either at law or in equity, against the insurer.

Master to  
direct dis-  
position of  
any balance.

(3) If any balance remains in the hands of the Superintendent after distribution of the dividend ordered by the Master, settlement of all disputed or contingent claims and payment of the expenses of the administration, the Master may, by order, direct the distribution of a further dividend, or if the amount is insufficient to justify the payment of a further dividend he may direct that such amount be paid over to the liquidator or the insurer.

Final  
passing of  
accounts and  
discharge of  
Superin-  
tendent.

**63.** Upon the completion of the distribution of the proceeds of the deposit the Superintendent shall submit his final accounts to the Master, and the Master may, on the passing thereof, make an order approving such accounts and formally discharging the Superintendent as administrator. *New.*

#### *Records and Returns.*

Record of  
premium  
income and  
losses.

**64.**—(1) Every licensed insurer which carries on in Ontario the business of fire insurance shall keep a record of its premium income derived from risks located in Ontario and of claims paid in respect of such risks so as to show at any time its experience according to the classification of occupancy hazards of the National Board of Fire Underwriters, with such modifications as the Superintendent may prescribe.

Audit and  
direction  
where  
records not  
duly kept.

(2) If, at any time, it appears to the Minister on the report of the Superintendent that such records are not kept in such a manner as to show correctly the experience of the insurer in Ontario as herein required the Minister may nominate a competent accountant to proceed under his direction to audit the books and records of the insurer and to give such instructions as will enable the officers of the insurer to keep the records correctly thereafter.

Expenses of  
audit.

(3) The expense of such an audit shall be borne by the insurer and shall not exceed fifteen dollars per day and necessary travelling expenses of the accountant nominated and the

account



account shall, when certified and approved under the hand of the Superintendent, be paid by the insurer forthwith.

(4) Every licensed insurer undertaking the business of fire insurance in Ontario, shall prepare and file annually with the Superintendent on or before the 1st day of July in each year, on a printed form to be supplied by the Superintendent, a sworn statement of the premium income and losses experienced within Ontario for the calendar year next preceding the date of the return according to the records required to be kept by this section.

(5) Any insurer and the principal officer within Ontario of any insurer which contravenes the provisions of this section shall be guilty of an offence. 1922, c. 61, s. 9. *Amended.*

**65.**—(1) Every licensed insurer shall prepare annually and deliver to the Superintendent on or before the last day of February of each year, a statement of the condition of affairs of the insurer as at the 31st day of December next preceding, which statement shall be in such form as may be prescribed by the Superintendent and shall exhibit the assets, liabilities, receipts and expenditures of the insurer for the calendar year ended on the said date, and shall also exhibit particulars of the business done in Ontario during such year and such other information as is deemed necessary by the Minister or Superintendent from time to time, and such statement shall be verified in the manner prescribed by the Superintendent.

(2) In the case of an insurer carrying on business under license of the Dominion of Canada, the Superintendent may, in lieu of the annual statement required to be filed by all insurers under subsection 1, direct the preparation of a modified statement respecting the business of the insurer in Ontario only.

(3) In the case of a corporation such statement shall be verified by the president, vice-president or managing director, or other director appointed for the purpose by the board of directors, and by the secretary or manager of the corporation.

(4) Every insurer shall, when required by the Superintendent make prompt and explicit answer in reply to any inquiry directed to the insurer by him in relation to the said statement or in relation to the transactions of the insurer in Ontario.

(5) In the case of all classes of insurance other than life insurance, and in the case of all insurers other than purely

mutual

mutual corporations insuring only risks other than mercantile and manufacturing on the premium note plan, the statement shall show as a liability of the insurer, eighty per centum of the actual portions of unearned premiums on all business in force on the 31st day of December then last past, or eighty per centum of fifty per centum of the premiums written in its policies and received in respect of contracts having one year or less to run and *pro rata* on those for longer periods.

Life  
insurers.

(6) In the case of insurers transacting life insurance the statement shall show as a liability the valuation of outstanding contracts of insurance according to the standard for valuation of policies of life insurance prescribed by section 69 of this Act, or such higher standard as the insurer may, with the approval of the Superintendent, adopt.

Unpaid  
balances.

(7) The statements shall not show as assets the unpaid balances owing by agents or other insurers which are more than three months overdue, or bills receivable on account of the same, or unpaid premium on subscribed shares of capital stock, nor shall such statements include as assets any investments not authorized by any special or general Act to which the insurer is subject. R.S.O. 1914, c. 183, s. 108.

Valuation of  
securities.

(8) Every licensed insurer may, in its annual statement or in any valuation of its securities required to be made, value all of its securities, having a fixed term and rate and not in default as to principal or interest, according to the following rule: If purchased at par at the par value; if purchased above or below par on the basis of the purchase price adjusted so as to bring the value to par at maturity and so as to yield meantime the effective rate of interest at which the purchase was made; provided the purchase price shall in no case be taken at a higher figure than the actual market value at the time of purchase; and provided the Superintendent shall have full discretion in determining the method of calculating values according to the foregoing rule.

Advertised  
statement.

**66.** A statement purporting to show the financial condition of an insurer differing from the financial condition shown by the statement filed with the Superintendent shall not be published or circulated and every insurer publishing such a statement shall be guilty of an offence. R.S.O. 1914, c. 183, s. 106 (5).

Statements  
that finan-  
cial stand-  
ing guaran-  
teed by  
Government  
prohibited.

**67.** Every person who represents orally or in writing that the issue of a license to an insurer or the printing or publication of an annual statement in the report of the Superintendent or in any other publication of the Department or any other circumstance of the supervision or regulation of the business of the insurer by law or the Department of Insurance is a

warranty or guarantee of the financial standing of the insurer or of its ability to provide for the payment of its contracts at maturity, shall be guilty of an offence. *See* R.S.O. 1914, c. 183, s. 109 (1).

### *Real Estate.*

**68.**—(1) Except in the case of a fraternal society a licensed insurer may acquire and hold absolutely for its own use and benefit such real property as is necessary for the transaction of its business, and such real property as is acquired by it by foreclosure and in satisfaction of a debt, and may sell, mortgage, lease or otherwise dispose of the same, but such insurer shall sell any such last mentioned real property within seven years after it has been so acquired, otherwise it shall be forfeited to His Majesty for the uses of Ontario.

Power of  
insurers  
as to holding  
land.

(2) Except in the case of a fraternal society a licensed insurer may acquire and hold real property in addition to that provided for by the preceding subsection and may acquire or hold or construct a building larger than is required for the transaction of its business and may lease any part of such building not so required, upon complying with and subject to the provisions of *The Mortmain and Charitable Uses Act*.

Additional  
real  
property.

Rev. Stat.,  
c. 103.

(3) In the case of a fraternal society, any licensed society or any branch or lodge thereof may, subject to its constitution or rules, acquire and hold absolutely for its own use and benefit such real estate as is necessary for the transaction of its business and when so authorized by the Lieutenant-Governor in Council, may acquire and hold or construct a building larger than is required for the transaction of its business and may lease any part of such building not so required, and may hold such real estate as is acquired by it by foreclosure or in satisfaction of a debt, and may sell, mortgage, lease or otherwise dispose of the same; but the society, branch or lodge shall sell any such last mentioned real estate within seven years after it has been so acquired, otherwise it shall be forfeited to His Majesty for the uses of Ontario. *See* 1922, c. 61, s. 10.

Power of  
licensed  
fraternal  
societies as  
to holding  
land.

### *Life Insurance Reserves.*

**69.**—(1) The valuation of contracts of life insurance issued by insurers incorporated and licensed under the law of Ontario except contracts of fraternal societies licensed under this Act, shall be based on the British Offices' Life Tables, 1893, OM<sup>(5)</sup>, and on a rate of interest of three and one-half per centum per annum.

Standard  
of  
valuation.

Deduction  
allowed in  
first policy  
year.

(2) In computing such valuation a deduction may be allowed from the value of a policy in the first policy year of an amount ascertained in the following manner, namely: In the case of a twenty payment life policy or any other form of policy, except a term policy, the net annual premium upon which is less than the corresponding net annual premium of a twenty payment life policy, the difference between the net annual premium for such policy and the corresponding net premium for a one year term insurance, and in the case of a policy with a net annual premium greater than that of a twenty payment life policy, an amount equal to the deduction allowed in respect of a twenty payment life policy.

Deduction  
in subse-  
quent years.

(3) After the first policy year the deduction allowed by the preceding subsection shall be diminished each year by an amount not less than one-ninth of the deduction in the first policy year so that in the tenth year from the date of issue the value of the policy shall not be less than that ascertained in accordance with subsection 1.

Deduction  
where less  
than ten  
annual  
premiums.

(4) In case of policies subject to less than ten annual premiums the deduction ascertained as provided in subsection 2 shall, in each year after the first policy year, be reduced by an amount not less than the equal parts thereof required to provide that the value of the policy at the end of the premium paying period shall be not less than that ascertained in accordance with subsection 1.

Additional  
liability in  
certain  
cases

(5) In the case of policies where the net premium is less than the net premium calculated upon the British Offices' Life Tables 1893, OM<sup>(5)</sup>, with interest at three and one-half per centum per annum, an additional liability shall be charged against such policy to the extent of the value of an annuity consisting of the difference between such net premium and the premium stated in the policy.

Accident  
and sickness  
benefits.

(6) Where a contract of life insurance provides for accident or sickness insurance benefits the Superintendent may prescribe by regulations the basis for valuing such benefits, but no deduction shall be allowed from the basis so fixed under the provisions of subsection 2 hereof, and in the valuation of the life insurance benefits under such contracts, the amount of the net annual premium upon which the deduction provided for in the preceding subsections is to be based, shall be the net annual premium exclusive of the premium for such accident or sickness benefits.

Annuity  
contracts.

(7) In the case of annuity contracts, whether immediate or deferred, the valuation basis shall be the British Offices' Select Life Annuity Tables, 1893 (male or female according to the sex of the nominee) with interest at three and one-half per centum per annum. 1922, c. 61, s. 8.

*Insurance with Unlicensed Insurers.*

**70.** Notwithstanding anything in this Act contained, any person may insure property situated in Ontario against fire with an unlicensed insurer, and any property insured or to be insured under the provisions of this section may be inspected and any loss incurred in respect thereof adjusted: provided such insurance is effected outside of Ontario and without any solicitation whatsoever directly or indirectly on the part of the insurer. Insurance in unlicensed insurers. Proviso.

*Underwriters Agency.*

**71.**—(1) A policy of insurance shall not be issued through any underwriters agency under its own name for an insurer, unless such insurer is licensed to carry on business in Ontario and unless such underwriters agency shall have obtained from the Superintendent a license to issue contracts of insurance. Underwriters Agency.

(2) Every policy of insurance issued by any such underwriters agency shall be in a form approved by the Superintendent, and shall bear upon its face the name and address of the insurer in a prominent and conspicuous manner, and the name of the underwriters agency shall not appear on the face of the policy except as a counter-signature thereto. Policy to bear name of insurer. Form of policy.

(3) Upon an application for a license under this section every such underwriters agency shall furnish to the Superintendent evidence of the approval and adoption of the form of the policy by the insurer and of the authority of the underwriters agency or its agents to bind the said insurer. Evidence of adoption of form of policy by insurer.

(4) Every insurer licensed under this Act carrying on business or issuing any policy of insurance through any such underwriters agency shall file an annual return of the business transacted through the said underwriters agency in a form prescribed by the Superintendent. 1922, c. 61, s. 7. Annual return.

*Penalties.*

**72.**—(1) Unless otherwise provided every person guilty of any act or omission prohibited or required by this Act shall incur a penalty of not less than \$20 and not more than \$200 for every such offence. Penalty for offence, c. 183.

(2) In addition, where an insurer violates the prohibitions or fails to comply with the requirements of this Act, the Lieutenant-Governor in Council may, upon the report of the Superintendent, suspend or cancel the license of the insurer. Suspension of license.

(3) In any prosecution under this Act, whenever it appears that the defendant or the accused has done any act or been Burden of proof of license.

guilty

guilty of any omission in respect of which he would be liable to some penalty under this Act or the regulations made hereunder unless he had been duly licensed it shall be incumbent upon the defendant or the accused to prove that he is duly licensed.

Penalty for continued default.

(4) In case of default in making any return required by this Act to be made within a limited time, the insurer or the person required by this Act to make the return shall, in addition to the penalty provided by subsection 1 hereof, incur a further penalty of \$100 for every month or part thereof during which such insurer or person neglects to file any return so required.

Application of Rev. Stat. c. 90.

(5) Any penalty imposed under this Act shall be recoverable under *The Ontario Summary Convictions Act* and when recovered shall be paid over to the Treasurer of Ontario for the use of the Province. 1922, c. 61, s. 5.

### *Fees and Regulations.*

Fees.

**73.**—(1) Until otherwise prescribed by the Lieutenant-Governor in Council, the fees or taxes payable to the Department by an insurer or other person shall be as mentioned in Schedule "A."

When payable.

(2) Such fees or taxes shall be paid before a license or the renewal of a license is issued.

Regulations

(3) The Lieutenant-Governor in Council may make regulations:

(a) Altering or amending the scale of fees or taxes provided for in Schedule "A";

(b) Extending the provisions of this Act or any of them to a system or class of insurance not particularly mentioned herein;

(c) Generally for the better administration of the Department or the carrying out of the provisions of this Act.

Regulations to be laid before Assembly.

(4) Every Order in Council made under this section shall be laid before the Assembly forthwith if the Assembly is then in session, and if not then in session then within fifteen days of the opening of the next session. R.S.O. 1914, c. 183, Part IV.

## PART III

## INSURANCE CONTRACTS IN ONTARIO.

**74.** Except where otherwise provided and where not Application. inconsistent with other provisions of this Act, the provisions of this Part shall apply to every contract of insurance made in Ontario other than contracts of life and accident and sickness insurance.

**75.** Where the subject matter of a contract of insurance is Contracts to be deemed made in Ontario. property in Ontario or an insurable interest of a person resident within Ontario, the contract of insurance, if signed, countersigned, issued or delivered in Ontario or committed to the post office or to any carrier, messenger or agent to be delivered or handed over to the insured, his assign or agent in Ontario, shall be deemed to evidence a contract made therein, and the contract shall be construed according to the law thereof, and all moneys payable under the contract shall be paid at the office of the chief officer or agent in Ontario of the insurer in lawful money of Canada. R.S.O. 1914, c. 183, s. 155.

**76.**—(1) All the terms and conditions of the contract of Terms, etc., of contracts invalid unless set out in full. insurance shall be set out in full in the policy or by writing securely attached to it when issued, and unless so set out no term of the contract or condition, stipulation, warranty or proviso modifying or impairing its effect shall be valid or admissible in evidence to the prejudice of the insured or beneficiary.

(2) Subsection 1 shall not apply to an alteration or modi- Exception. fication of the contract agreed upon in writing by the insurer and the insured after the issue of the policy.

(3) Whether the contract does or does not provide for its Contents of renewal receipt. renewal, but it is renewed by a renewal receipt it shall be a sufficient compliance with subsection 1, if the terms and conditions of the contract were set out as provided by that subsection and the renewal receipt refers to the contract by its number or date.

(4) The proposal or application of the insured shall not as What regard to be given to proposal. against him be deemed a part of or be considered with the contract of insurance except in so far as the Court may determine that it contains a material misrepresentation by which the insurer was induced to enter into the contract. R.S.O. 1914, c. 183, s. 156 (1-3).

Contract not to be invalidated by erroneous statement in application unless material

(5) No contract of insurance shall contain or have endorsed upon it, or be made subject to, any term, condition, stipulation, warranty or proviso, providing that such contract shall be avoided by reason of any statement in the application therefor, or inducing the entering into of the contract by the insurer, unless such term, condition, stipulation, warranty or proviso is and is expressed to be limited to cases in which such statement is material to the contract, and no contract shall be avoided by reason of the inaccuracy of any such statement unless it is material to the contract. R.S.O. 1914, c. 183, s. 156 (5); 1915, c. 20, s. 19.

Materiality, how decided.

(6) The question of materiality in any contract of insurance shall be a question of fact for the jury, or for the Court if there is no jury; and no admission, term, condition, stipulation, warranty or proviso to the contrary contained in the application or proposal for insurance, or in the instrument of contract, or in any agreement or document relating thereto shall have any force or validity.

Proviso.

(7) Nothing in this section shall impair the effect of any statutory policy condition required by this Act to be inserted in contracts of insurance. R.S.O. 1914, c. 183, s. 156 (6, 7).

Copy of proposal to be furnished to insured.

**77.** Every insurer shall upon request furnish to the insured a true copy of his application or proposal for insurance. R.S.O. 1914, c. 183, s. 157.

No contract to be inconsistent with Act.

**78.—(1)** No insurer shall make a contract of insurance inconsistent with the provisions of this Act.

Rights of insured.

(2) Any act or omission of the insurer resulting in imperfect compliance with any of the provisions of this Act shall not render a contract invalid as against the insured.

Insurance where loss caused by insured through negligence.

**79.** It shall be lawful for an insurer to contract to indemnify an insured against financial loss occasioned by reason of liability to a third person whether or not the loss has been caused by the insured through negligence or while violating the provisions of any municipal by-law or any Act of this Legislature.

Right of claimant against insurer where execution against insured returned unsatisfied.

**80.** In any case in which a person insured against liability for injury or damage to persons or property of others has failed to satisfy a judgment obtained by a claimant for such injury or damage and an execution against the insured in respect thereof is returned unsatisfied, such execution creditor shall have a right of action against the insurer to

recover



recover an amount not exceeding the face amount of the policy or the amount of the judgment in the same manner and subject to the same equities as the insured would have if the said judgment had been satisfied.

**81.**—(1) Where several actions are brought for the recovery of money payable under a contract of insurance the Court may consolidate or otherwise deal therewith so that there shall be but one action for and in respect of all the claims made in such actions. Consolidation of actions for insurance money.

(2) Where an action is brought to recover the share of one or more infants all the other infants entitled, or the trustees, executors, or guardians entitled to receive payment of the shares of such other infants, shall be made parties to the action, and the rights of all the infants shall be determined in one action. Where infants are entitled to insurance money.

(3) In all actions where several persons are interested in the insurance money the Court or Judge may apportion among the persons entitled any sum directed to be paid, and may give all necessary directions and relief. Apportionment of sums directed to be paid.

(4) Where the person entitled to receive money due and payable under any contract of insurance, except insurance of the person, is domiciled or resides in a foreign jurisdiction and payment, valid according to the law of such jurisdiction, is made to such person, such payment shall be valid and effectual for all purposes. R.S.O. 1914, c. 183, s. 158, (1, 2, 3, 5). When payee is domiciled or resident abroad.

**82.**—(1) Where the contract of insurance has been delivered it shall be as binding on the insurer as if the premium had been paid, although it has not in fact been paid, and although delivered by an officer or agent of the insurer who had not authority to deliver it. Effect of delivery of policy or receipt for premium.

(2) The insurer may sue for the unpaid premium and may deduct the same from the amount for which he may become liable under the policy or contract of insurance. Right of insurer in respect of unpaid premium.

(3) Where the premium is paid by a cheque or a promissory note and the cheque is not paid on presentation or the promissory note at maturity the contract shall at the option of the insurer be voidable. R.S.O. 1914, c. 183, s. 159, (1, 2, 4). Where note or cheque for premium not paid.

**83.**—(1) Every insurer shall, immediately upon receipt of notice of any claim under a contract of insurance, forward to the insured or person to whom the insurance money is payable printed forms upon which to make the proof of loss required under the contract. Insurer to furnish forms.

(2) Every insurer who neglects or refuses to comply with the provisions of the preceding subsection shall be guilty of an offence. Penalty.

When action  
may be  
brought  
under  
contract.

**84.**—(1) No action shall be brought for the recovery of money payable under a contract of insurance until the expiration of sixty days after proof, in accordance with the provisions of the contract, of the loss or of the happening of the event upon which the insurance money is to become payable or such shorter period as may be prescribed by any enactment regulating the contracts of the insurer or as may be fixed by the contract of insurance.

Beneficiary  
etc. of  
contract  
may sue in  
his own  
name.

(2) After such sixty days or shorter period, any person entitled as beneficiary or by assignment or other derivative title to the insurance money, and having the right to receive the same and to give an effectual discharge therefor, may sue for the same in his own name, any rule, stipulation or condition to the contrary notwithstanding. R.S.O. 1914, c. 183, s. 89.

#### *Insurance as Collateral Security.*

Mortgagee  
not to re-  
ceive com-  
mission from  
insurer.

**85.**—(1) A mortgagee shall not accept or be entitled to receive either directly or through his agent or employee, and no officer or employee of such mortgagee shall accept or receive any commission or other remuneration or benefit in consideration of effecting a contract of insurance or renewal thereof under which contract loss, if any, is payable to him as mortgagee.

Payment of  
commission  
prohibited.

(2) No insurer or agent or broker shall pay, allow or give any commission or other remuneration or benefit to a mortgagee or to any person in his employ or on his behalf, in consideration of effecting a contract of insurance or renewal thereof, under which contract loss, if any, is payable to him as mortgagee.

Offence.

(3) Any insurer or other person who contravenes the provisions of this section shall be guilty of an offence. 1922, c. 61, s. 13.

#### *Contracts of Guarantee Insurance.*

Contracts  
of title  
insurance

**86.**—(1) Every contract of title insurance shall be in writing, and in addition to the other requirements prescribed by this Act shall expressly limit the liability of the insurer to a sum stated in the contract.

Questions  
as to valid-  
ity of title.

(2) If any question arises as to the validity of the title insured, or as to the liability of the insurer, the insurer or the insured or any person entitled to proceed in right of either may by application have such question determined as provided in *The Vendors' and Purchasers' Act* in the case of vendors and purchasers. R.S.O. 1914, c. 183, s. 160.

Rev. Stat.,  
c. 122

## PART IV.

## FIRE INSURANCE.

**87.** In this Part, unless the context otherwise requires:— Interpretation.

1. "Agricultural Property" includes dwelling-houses, stables, barns, sheds and outbuildings, and their contents, waggons, carriages, and other vehicles, saddles and harness; agricultural engines; implements, tools, instruments, appliances and machinery; household goods, wearing apparel, provisions, musical instruments, and libraries; livestock; growing crops, and crops severed from the land; fruit and ornamental trees, shrubs and plants; and live or standing timber, being upon farms as farm property, and owned by members of the company in which the property is insured; R.S.O. 1914, c. 183, s. 237. "Agricultural Property".
2. "Contract" means a contract of insurance against loss of or damage to property in the Province or in transit therefrom or thereto, caused by fire, lightning or explosion, and includes a policy, certificate, interim receipt, renewal receipt or writing evidencing the contract, whether sealed or not, and a binding oral agreement; "Contract".
3. "Property" includes use and occupancy, rents, profits and charges where these are the subject matter of the insurance. *New.* "Property".

**88.**—(1) This Part shall apply to fire insurance and to any insurer carrying on the business of fire insurance in the Province. Application of Part.

(2) This Part shall not apply to the insurance of automobiles against loss or damage by fire except when they are insured as provided in subsection 3 of section 89 hereof. Automobiles.

**89.**—(1) Every insurer licensed for the transaction of fire insurance may, within the limits and subject to the restrictions prescribed by the license, insure or reinsure any property in which the insured has an insurable interest against damage or loss by fire, lightning or explosion, whether the same happens by accident or by any other means except that of design on the part of the insured. What risks may be insured.

(2) An insurer licensed under this Act for the transaction of fire insurance, and insuring any manufacturing or mercantile risk, may either by the same or by a separate contract insure the same risk against loss or damage arising from defects in or injuries to sprinklers or other fire extinguishing apparatus, or arising from tornado or windstorm. Loss from defects in or injuries to fire appliances.

Insurance  
of  
automobiles.

(3) A purely mutual fire insurance company, incorporated and licensed in Ontario, may insure automobiles under a fire insurance policy on the premium note plan against loss or damage by fire provided the same are specifically insured under a policy separate from that insuring other property.

Term of  
contract.

**90.** No contract shall be made,—

(a) for a term exceeding one year in the case of a mercantile or manufacturing risk, whether on building or contents, or on other property or interest, on the cash plan; or

(b) for a term exceeding three years in all other cases;

but any contract may be renewed by the delivery of a renewal receipt or a new premium note. R.S.O. 1914, c. 183, s. 192 (1).

Contents of  
policy.

**91.** Every policy shall contain the name of the insurer, the name of the insured, the name of the person or persons to whom the insurance money is payable, the premium or other consideration for the insurance, the subject matter of the insurance, the indemnity for which the insurer may become liable, the event on the happening of which such liability is to accrue and the term of the insurance. R.S.O. 1914, c. 183, s. 193 (1).

Statutory  
conditions.

**92.—**(1) The conditions set forth in this section shall be deemed to be part of every contract in force in Ontario, except contracts where the subject matter of the insurance is exclusively rents, charges and/or loss of profits, and shall be printed on every policy with the heading "Statutory Conditions," and, subject to the provisions of section 96, no variation, omission or addition thereto shall be binding on the insured. R.S.O. 1914, c. 183, s. 194.

Proviso.

(2) Where the subject matter of the insurance is exclusively rents, charges and/or loss of profits the conditions 1, 2, 4, 5, 6, 7, 8, 9, 10, 14, 16, 17, 18, 20, 21, 22, 23, and 24, as set forth in this section shall be deemed to be part of every such contract in force in Ontario and shall be printed on every such policy with the heading "Statutory Conditions," and no variation or omission and no addition which is inconsistent with the said statutory conditions shall be binding on the insured.

#### *Statutory Conditions.*

Misrepresentation

1. If any person applying for insurance falsely describes the property to the prejudice of the insurer, or misrepresents or fraudulently omits to communicate any circumstance which

is material to be made known to the insurer in order to enable it to judge of the risk to be undertaken, the contract shall be void as to the property in respect of which the misrepresentation or omission is made.

2. After application for insurance, if the same is in writing, <sup>Form of contract.</sup> it shall be deemed that any policy sent to the insured is intended to be in accordance with the terms of the application, unless the insurer points out in writing the particulars wherein it differs from the application, in which case the insured may, within two weeks from the receipt of the notification, reject the policy.

3. Unless otherwise specifically stated in the policy, money, <sup>Property not insured.</sup> books of account, securities for money, evidences of debt or title, and automobiles, tractors and other motor vehicles, are not insured.

4. Unless otherwise specifically stated in the policy, the <sup>Risks not covered.</sup> insurer is not liable for the losses following, that is to say:—

- (a) For loss of or damage to property owned by any person other than the insured, unless the interest of the insured therein is stated in the policy;
- (b) For loss or damage caused by invasion, insurrection, riot, civil commotion, military or usurped power;
- (c) For loss due to the want, within the knowledge of the insured, of good and substantial chimneys; or caused by ashes or embers being deposited, with the knowledge and consent of the insured, in wooden vessels; or by stoves or stove-pipes being, to the knowledge of the insured, in an unsafe condition or improperly secured; or
- (d) For loss of or damage to goods while undergoing any process in or by which the application of fire heat is necessary.

5. Unless permission is given by the policy or indorsed <sup>Risks not covered except by special permission.</sup> thereon, the insurer shall not be liable for loss or damage occurring:—

- (a) To buildings or their contents during alteration or <sup>Repairs.</sup> repair of the buildings and in consequence thereof, fifteen days being allowed in each year for incidental alterations or repairs without such permission;
- (b) While illuminating gas or vapour is generated by the <sup>Inflammable substances</sup> insured or to his knowledge in the building insured

or which contains the property insured, or while there is stored or kept therein by the insured or, to his knowledge, by any person under his control, petroleum or any liquid product thereof, coal oil, camphene, gasoline, burning fluid, benzine, naphtha, or any of their constituent parts (refined oil for lighting, heating or cooking purposes only, not exceeding five gallons in quantity, gasoline, if contained in a tightly closed metallic can free from leaks and not exceeding one quart in quantity, or lubricating oil not being crude petroleum nor oil of less specific gravity than is required by law for illuminating purposes, not exceeding five gallons in quantity, excepted), or more than twenty-five pounds weight of gunpowder, dynamite or similar explosives;

Change of  
interest.

- (c) After the interest of the insured in the subject matter of the insurance is assigned, but this condition is not to apply to an authorized assignment under *The Bankruptcy Act* or to change of title by succession, by operation of law, or by death;

Vacancy.

- (d) When the building insured or containing the property insured to the knowledge of the insured, is vacant or unoccupied for more than thirty consecutive days or, being a manufacturing establishment, ceases to be operated and continues out of operation for more than thirty consecutive days.

Explosion  
and  
lightning.

6. The insurer will make good loss or damage caused by lightning or by the explosion of coal or natural gas in a building not forming part of gas works, whether fire ensues therefrom or not; and loss or damage by fire caused by any other explosion; but, if electrical appliances or devices are insured, any loss or damage to them caused by lightning or other electrical currents is excluded and the insurer shall be liable only for such loss or damage to them as may occur from fire originating outside the article itself.

Material  
change.

7. Any change material to the risk, and within the control and knowledge of the insured, shall avoid the policy as to the part affected thereby, unless the change is promptly notified in writing to the insurer or its local agent; and the insurer when so notified may return the unearned portion, if any, of the premium paid, and cancel the policy, or may notify the insured in writing that, if he desires the policy to continue in force, he must within fifteen days of the receipt of the notice pay to the insurer an additional premium, and in default of such payment the policy shall no longer be in force and the insurer shall return the unearned portion, if any, of the premium paid.

8.—(a) If the insured has at the date of this policy any <sup>Other</sup> insurance, other insurance on property covered thereby which is not disclosed to the insurer, or hereafter effects any other insurance thereon without the written assent of the insurer, he shall not be entitled to recover more than sixty per centum of the loss in respect of such property; but if for any fraudulent purpose the insured does not disclose such other insurance, this policy shall be void.

(b) The insurer shall be deemed to have assented to such other insurance unless it dissents by notice in writing within two weeks after notice thereof.

(c) In the event of there being any other insurance on property herein described at the time of the happening of a loss in respect thereof, the insurer shall be liable only for payment of a rateable proportion of the loss or a rateable proportion of such amounts as the insured shall be entitled to recover under clause *a* of this condition.

9. Where the loss (if any), under a policy has, with <sup>Mortgagees and other</sup> the consent of the insurer, been made payable to some person <sup>payees.</sup> other than the insured, the policy shall not be cancelled or altered by the insurer to the prejudice of such person without reasonable notice to him.

10.—(1) The insurance may be terminated:—

<sup>Termination of</sup>  
insurance.

(a) Subject to the provisions of condition 9, by the insurer giving to the insured at any time fifteen days' notice of cancellation by registered mail, or five days' notice of cancellation personally delivered, and, if the insurance is on the cash plan, refunding the excess of premium actually paid by the insured beyond the *pro rata* premium for the expired time;

(b) If on the cash plan, by the insured giving written notice of termination to the insurer, in which case the insurer shall, upon surrender of this policy, refund the excess of premium actually paid by the insured beyond the customary short rate for the expired time.

(2) Repayment of the excess premium may be made by <sup>Excess</sup> money, post office order or postal note or by cheque payable at par and certified by a chartered bank doing business in the Province. If the notice is given by registered letter, such repayment shall accompany the notice, and in such case the fifteen days mentioned in clause *a* of this condition shall

commence

commence to run from the day following the receipt of the registered letter at the post office to which it is addressed.

Salvage.

11. After any loss or damage to insured property, it shall be the duty of the insured, when and as soon as practicable, to secure the insured property from further damage, and to separate as far as reasonably may be the damaged from the undamaged property, and to notify the insurer of the separation.

Insurance  
on goods  
moved.

12. If any of the insured property is necessarily removed to prevent damage or further damage thereto, that part of the insurance under this policy which exceeds the amount of the insurer's liability for any loss already incurred shall for seven days only, or for the unexpired term if less than seven days, cover the property removed, and any property remaining in the original location in the proportions in which the value of the property in the respective locations bears to the value of the property in them all; and the insurer will contribute *pro rata* towards any loss or expense connected with such act of salvage, according to the respective interests of the parties.

Entry,  
control,  
abandon-  
ment.

13. After any loss or damage to insured property, the insurer shall have an immediate right of access and entry by accredited agents sufficient to enable them to survey and examine the property, and to make an estimate of the loss or damage, and, after the insured has secured the property, a further right of access and entry sufficient to enable them to make an appraisalment or particular estimate of the loss or damage, but the insurer shall not be entitled to the control or possession of the insured property, or the remains or salvage thereof, unless it accepts a part thereof at its agreed value or its value as ascertained according to condition 17 or undertakes replacement under condition 19, and without the consent of the insurer there can be no abandonment to it of insured property.

Who to make  
proof.

14. Proof of loss must be made by the insured, although the loss is payable to a third person, except that, in case of the absence of the insured or his inability to make the same, proof may be made by his agent, such absence or inability being satisfactorily accounted for, or the like case or if the insured refuse to do so, by a person to whom any part of the insurance money is payable.

Require-  
ments after  
loss.

15. Any person entitled to claim under this policy shall:—

(a) Forthwith after loss give notice in writing to the insurer;

(b)



- (b) Deliver, as soon thereafter as practicable, a particular account of the loss;
- (c) Furnish therewith a statutory declaration declaring:—
  - (i) That the account is just and true;
  - (ii) When and how the loss occurred, and if caused by fire, how the fire originated, so far as the declarant knows or believes;
  - (iii) That the loss did not occur through any wilful act or neglect or the procurement, means or connivance of the insured;
  - (iv) The amount of other insurances, and names of other insurers;
  - (v) All liens and incumbrances on the property insured;
  - (vi) The place where the property insured, if moveable, was deposited at the time of the fire;
- (d) If required and if practicable, produce books of account, warehouse receipts and stock lists, and furnish invoices and other vouchers verified by statutory declaration, and furnish a copy of the written portion of any other policy. The evidence furnished under this clause shall not be considered proofs of loss within the meaning of conditions 18 and 19.

16. Any fraud or wilfully false statement in a statutory <sup>Fraud.</sup> declaration, in relation to any of the above particulars, shall vitiate the claim of the person making the declaration.

17. If any difference arises as to the value of the property <sup>Arbitration</sup> insured, the property saved, or the amount of the loss, such value and amount and the proportion thereof (if any) to be paid by the company shall, whether the right to recover on the policy is disputed or not, and independently of all other questions, be submitted to the arbitration of some person to be chosen by both parties, or if they cannot agree on one person, then to two persons, one to be chosen by the insured and the other by the insurer, and a third to be appointed by the persons so chosen, or on their failing to agree, then by a Judge of the County or District Court of the County or District in which the loss has happened; and such reference shall be subject to the provisions of *The Arbitration*

*Act*; and the award shall, if the insurer is in other respects liable, be conclusive as to the amount of the loss and the proportion to be paid by the insurer; where the full amount of the claim is awarded the costs shall follow the event; and in other cases all questions of costs shall be in the discretion of the arbitrators.

When loss payable.

18. The loss shall be payable within sixty days after completion of the proofs of loss, unless the contract provides for a shorter period.

Replacement.

19. The insurer, instead of making payment, may repair, rebuild or replace the property damaged or lost, giving written notice of its intention so to do within fifteen days after receipt of the proofs of loss. In such event the insurer shall commence to so repair, rebuild, or replace the property within thirty days after receipt of the proofs of loss and shall thereafter proceed with all due diligence to the completion thereof.

Action.

20. Every action or proceeding against the insurer for the recovery of any claim under or by virtue of this policy shall be absolutely barred unless commenced within one year next after the loss or damage occurs.

Agency.

21. Any officer or agent of the insurer who assumes on behalf of the insurer to enter into a written agreement relating to any matter connected with the insurance shall be deemed *prima facie* to be the agent of the insurer for the purpose.

Waiver.

22. No condition of this policy shall be deemed to have been waived by the insurer, either in whole or in part, unless the waiver is clearly expressed in writing signed by an agent of the insurer.

Notice.

23. Any written notice to the insurer may be delivered at or sent by registered post to the chief agency or head office of the insurer in Ontario or delivered or so sent to any authorized agent of the insurer therein. Written notice may be given to the insured by letter personally delivered to him or by registered letter addressed to him at his last post office address notified to the insurer, or, where no address is notified and the address is not known, addressed to him at the post office of the agency, if any, from which the application was received.

Subrogation.

24. The insurer may require from the insured an assignment of all right of recovery against any other party for loss or damage to the extent that payment therefor is made by the insurer.

**93.**—(1) A policy may contain a co-insurance clause, in which case it shall have printed or stamped upon its face in conspicuous type and in red ink the words "This policy contains a co-insurance clause," and unless those words are so printed or stamped such clause shall not be binding upon the insured. Such clause shall not be deemed a variation or addition to the statutory conditions. R.S.O. 1914, c. 183, s. 193 (2). Co-insurance clause

(2) A policy may contain a partial payment of loss clause to the effect that the insurer in the event of loss shall pay only an agreed proportion of any loss which may be sustained or the amount of the loss after deduction of a sum specified in the policy, in either case not exceeding the amount of the insurance, in which case there shall be printed or stamped upon the face of the policy in conspicuous type in red ink, the words: "This policy contains a partial payment of loss clause." Such partial payment of loss clause shall not be deemed a variation or addition to the statutory conditions. Partial payment of loss clause.

**94.** No red ink shall be used on the face of a policy except for the name, address and emblem of the insurer, the policy number and for the purposes mentioned in this Act. Use of red ink.

**95.** In any case where there has been imperfect compliance with a statutory condition as to the proof of loss to be given by the insured and a consequent forfeiture or avoidance of the insurance, in whole or in part, and the court deems it inequitable that the insurance should be forfeited or avoided on that ground, the court may relieve against the forfeiture or avoidance on such terms as may seem just. Relief from forfeiture.

**96.**—(1) Subject to the provisions of subsection 2 stipulations upon which the rate of premium is based respecting the user, condition, location or maintenance of insured property not inconsistent with the statutory conditions may form part of the policy and shall be valid and effectual unless held not to be just and reasonable. Certain agreements allowed.

(2) No such stipulation limiting the use to which the insured property may be put or imposing any obligation upon the insured not contained in the statutory conditions, shall be valid, or admissible in evidence to the prejudice of the insured unless notice in writing, separate from the policy, containing a copy of such stipulation, and a statement that violation thereof may invalidate the policy is given to the insured by the insurer at the time or before the policy is issued in the manner provided for in Statutory Condition number 23. Limitation.

*Premium Notes and Assessments.*

Application  
of sections  
98-112.

**97.** Sections 98 to 112 shall apply only to mutual and cash mutual fire insurance corporations and, saving sections 99, 100, 101, and 108 to mutual live-stock and mutual weather insurance corporations which carry on business on the premium note plan. R.S.O. 1914, c. 183, s. 122.

Insurer may  
accept  
premium  
notes

**98.**—(1) The insurer may accept the premium note of the insured for insurance and may undertake contracts in consideration thereof and such notes shall be subject to cash payments and assessments for the losses, expenses and reserve of the insurer in the manner hereinafter provided.

Form of  
note.

(2) The premium note shall be in the form prescribed by Schedule "B" to this Act.

Nothing but  
notice to  
appear on  
same paper.

(3) Nothing but the notice provided by section 109 shall be written upon the same paper upon which the premium note is written, and a violation of this section shall render the premium note void. R.S.O. 1914, c. 183, s. 139.

Minimum  
rates.

**99.** The rate to be charged or taken by way of premium note for insuring agricultural property, other than brick, stone or concrete dwellings, shall be not less than three dollars for three years for every one hundred dollars of insurance, and the minimum rate upon other property may be increased or decreased relatively with the risk according to the nature of the property. R.S.O. 1914, c. 183, s. 140.

Minimum  
cash  
payment.

**100.**—(1) Subject to the provisions of subsection 3, the directors shall require at the time of the application for insurance of agricultural property other than brick, stone or concrete dwellings, a cash payment on the premium note of not less than eighty cents for three years for every one hundred dollars of insurance and may require a larger or smaller cash payment at the time of the application for the insurance of other property; provided, that not more than sixty per centum of any premium note shall be paid in cash at the time of the application for or of effecting the insurance. R.S.O. 1914, c. 183, s. 144 (1).

Reduction  
of, by  
directors.

(2) The cash payment required at the time of the application for insurance of agricultural property, other than brick, stone or concrete dwellings, may be reduced by the directors when and so long as the cash surplus of the insurer is not less than twenty-five cents for every one hundred dollars of the total amount at risk. *New.*

(3) Instead of requiring the cash payment to be paid in full at the time of the application for insurance, the directors may make the cash payment payable in three equal annual instalments of not less than thirty cents each for every one hundred dollars of insurance on agricultural property other than brick, stone or concrete dwellings, and *pro rata* on other property, the first of which shall be due and payable at the time of the application for insurance and the remaining instalments shall be respectively due and payable on the first day of each subsequent year of the term of insurance. R.S.O. 1914, c. 183, s. 141 (3).

Cash payment may be paid in annual instalments.

(4) "Cash surplus" as used in this section shall mean the assets of the insurer other than the premium note residue after deducting therefrom all liabilities of the insurer (other than contingent liabilities on unmatured contracts) and the proportion of cash payments paid in advance applicable to the third year or second and third years as the case may be of unexpired policy contracts.

"Cash surplus."

**101.**—(1) The cash payment or instalments thereof required to be paid by the preceding section at the time of the application for insurance shall be applied in part payment of the premium note, and the premium note residue shall be subject to assessments by the directors in such sums and at such times as they may determine for reserve and for losses and expenses incurred during the currency of the policies for which such notes were given.

Assessments

(2) Every assessment shall be due and payable within thirty days after notice stating the amount and date of the assessment has been given in the manner hereinafter provided.

When due.

**102.**—(1) Default in making the cash payment or any instalment thereof within thirty days after notice of it becoming due, or of its non-payment when due, has been given in the manner hereinafter provided, or default in paying any assessment authorized by the directors within thirty days after notice has been given as required by subsection 2 of section 101, shall, unless the directors determine otherwise, render the contract of insurance null and void as to all claims for loss occurring during the time of default; but subject thereto the contract shall be revived if and when the cash payment or instalments thereof or the assessment so in default has been paid. R.S.O. 1914, c. 183, s. 142.

Penalty for default in payments

(2) Nothing herein contained shall relieve the insured of his liability to pay the cash payment and all assessments lawfully

liability of insured.

imposed

imposed by the directors during the full term of the policy or within forty days thereafter in respect of which the prescribed notice has been given, or prejudice the right of the insurer after giving the required notice to sue for and recover the same with the costs of the suit. R.S.O. 1914, c. 183, s. 143.

Evidence of  
amount due  
insurer.

(3) Where an action is brought to recover an assessment the certificate of the secretary of the insurer specifying the assessment and the amount due on the note in respect of such assessment shall be *prima facie* evidence thereof in any court. R.S.O. 1914, c. 183, s. 146.

Notice.

**103.**—(1) The notices required to be given by sections 101 and 102 shall be sufficient if mailed to the person by whom the cash payment, or any instalment thereof, or the assessment as the case may be, is payable, addressed to his post office address given in the original application, or otherwise given in writing, to the insurer, and if it states the register number of the contract, the time when, and the place where, the amount is payable.

Section 102,  
subs. 1 to be  
printed on  
notices.

(2) Subsection 1 of section 102 of this Act shall be printed in full upon the face of all such notices.

Notice to  
mortgagee.

(3) If the property insured has been mortgaged and the insurer has assented to the mortgage the notices respecting assessments and cash payments herein required to be mailed to the payee shall also be mailed to the mortgagee if his post office address is known to the insurer, and if notice is not so given the contract shall be deemed to be valid and subsisting as to the interest of the mortgagee. R.S.O. 1914, c. 183, s. 142 (2).

Return of  
premium  
note on  
termination  
of insurance.

**104.** Forty days after the expiration of the term of insurance or after the insured has sustained a total loss in respect of the property insured the premium note given for the term shall be null and void except as to the cash payment or instalments thereof remaining unpaid and as to lawful assessments of which the prescribed written notice has been given to the maker of the premium note during the currency of the policy or within such period of forty days, and on the expiration of such period the premium note shall upon application therefor be surrendered to the maker, provided all liabilities with which the premium note is chargeable have been paid. R.S.O. 1914, c. 183, s. 145.

**105.** If there is a loss on property insured the directors may retain out of the insurance money the cash payment or any instalments thereof, or any lawful assessment due and payable and remaining unpaid by the insured. R.S.O. 1914, c. 183, s. 149.

Cash pay-  
ment and  
assessments  
may be re-  
tained out of  
insurance  
money.

**106.** The directors may reinsure any risk undertaken on the premium note plan with any other insurer of the same class, and may authorize the execution of a premium note by the proper officer of the insurer, and the insurer shall in respect of such reinsurance contract have the same rights and be subject to the same obligations as a member of the reinsurer.

Reinsurance  
of individual  
risks.

**107.**—(1) Subject to the approval of the Superintendent, the directors of any insurer licensed to transact insurance on the premium note plan may enter into a general reinsurance agreement with any other insurer of the same class for the reinsurance of risks on such terms and conditions as may be agreed upon.

General  
reinsurance  
agreement.

(2) The agreement authorized by subsection 1 may dispense with the issue of policies and the execution of premium notes

Policies and  
notes un-  
necessary.

(3) Every such agreement shall be in writing and under the corporate seals of the parties thereto.

Writing  
and seals.

**108.**—(1) No insurer shall undertake any risk on the premium note plan which is subject to the hazard of a single fire for an amount greater than that allowed by the following table unless such risk is reinsured to an amount sufficient to reduce the net liability of the insurer to the amount authorized in such table:—

Compulsory  
reinsur-  
ance.

TABLE.

When the total amount at risk is less than \$4,000,000.....	\$3,000
“ “ “ “ 5,000,000.....	4,000
“ “ “ more than 5,000,000.....	5,000

(2) A risk subject to the hazard of a single fire shall be deemed to include, in the case of agricultural property, other than brick, stone or concrete dwellings, the total amount at risk on barns, outbuildings, contents, machinery, and all other items in connection therewith except livestock or a dwelling distant more than 80 feet from any other insured farm building; and in all other cases the total amount at risk on buildings or their contents where such buildings are distant less than 80 feet from each other.

Meaning  
of risk  
subject to  
hazard of  
single fire.

Penalty for failure to reinsure.

(3) Where an insurer fails to reinsure any risk which is subject to the hazard of a single fire and for an amount greater than that allowed by the table set out in subsection 1, the Minister, on the report of the Superintendent, may suspend or cancel the license of the insurer.

Rights of insured.

(4) Nothing in this section shall render a contract invalid as against the insured.

Actions in division court where brought.

**109.** Any action upon any premium note or for an assessment thereon cognizable in a division court may be entered, tried and determined in the court for the division wherein the head office or any agency of the insurer is located, where and where only within the body of such note, or across the face thereof, there was at the time of the making of it printed in conspicuous type, or in ink of a colour different from any other in or on such note, the words following: "Any action which may be brought or commenced in a division court in respect or on account of this note, or any sum to be assessed thereon may be brought and commenced against the maker hereof in the division court for the division wherein the head office or any agency of the insurer is located."

Premium notes not to create lien on land.

**110.** No premium note shall create a lien upon the land on which the insured property is situate.

Powers of incorporated insurers to insure on the cash principle.

**111.**—(1) An insurer licensed to transact cash-mutual fire insurance may effect insurance upon the cash plan, for a period not exceeding three years, on risks other than mercantile and manufacturing, and for one year or less on any other class of property, but the amount of premiums received on cash insurances in any one calendar year shall not exceed four times the amount which the insurer has then on deposit with the Minister.

When deposit must be increased.

(2) If at any time the amount of such premiums exceeds the amount authorized by subsection 1 the insurer shall at once increase its deposit to an amount sufficient to warrant the excess, and in default the Minister may suspend or cancel its license.

What funds liable for losses.

(3) All the property and assets of the insurer, including premium notes, shall be liable for all losses under contracts of insurance for cash premiums. R.S.O. 1914, c. 183, ss. 150-152.

When execution upon judgment against insurer.

**112.**—(1) No execution shall issue against a mutual or cash-mutual insurer upon a judgment until after the expiration of sixty days from the recovery thereof, but this section shall not apply to a judgment recovered on a contract of



insurance where more than sixty per centum of the premium, or premium note, was paid in cash at the time of the insurance or the application therefor.

(2) A Judge of the Supreme Court or the Master in Chambers, after the recovery of a judgment against the insurer, upon the application of the judgment creditor and upon notice to the insurer, may inquire into the facts, and if he finds that more than sixty per centum of the premium note was paid in cash at the time of the insurance, or upon the application therefor, he may direct that execution be issued forthwith upon such judgment. R.S.O. 1914, c. 183, s. 153.

When order  
may be  
made for  
issue

## PART V

## LIFE INSURANCE.

Interpreta-  
tion.

"Bene-  
ficiary."

"Contract."

"Contract of  
life insur-  
ance."

"Court."

"Declara-  
tion."

"Foreign  
jurisdic-  
tion."

"Fraternal  
society."

"Instrument  
in writing."

"Insurance."

"Insurance  
money."

**113.** In this Part, unless the context otherwise requires:—

1. "Beneficiary" means a person designated or appointed as one to whom or for whose benefit insurance money is to be payable;

2. "Contract" or "contract of insurance" means a contract of life insurance;

3. "Contract of life insurance" means a contract by which the insurer undertakes with the insured to pay insurance money contingently on the death, or on the duration of the life, of a designated human being;

4. "Court" means the Supreme Court or a judge thereof;

5. "Declaration" means an instrument in writing signed by the insured, attached to or endorsed on a policy, or an instrument in writing, signed by the insured in any way identifying the policy or describing the subject of the declaration as the insurance or insurance fund or a part thereof or as the policy or policies of the insured or using language of like import, by which the insured designates or appoints a beneficiary or beneficiaries, or alters or revokes the designation or appointment of a beneficiary or beneficiaries, or apports or reapports, or appropriates or reappropriates, insurance money between or among beneficiaries;

6. "Foreign jurisdiction" means any jurisdiction other than the Province;

7. "Fraternal society" means a corporation, society, order or voluntary association incorporated or formed and carried on for the benefit of its members and their beneficiaries and not for profit, which makes provision by its constitution and laws for payment to beneficiaries of benefits on the death or disability of its members;

8. "Instrument in writing" includes a last will;

9. "Insurance" means life insurance;

10. "Insurance money" includes all insurance money,  
benefits

benefits, surplus, profits, dividends, bonuses and annuities payable by an insurer under a contract of insurance;

11. "Insured" means the person who makes a contract "Insured." of insurance with an insurer, and, unless the context otherwise requires, includes the person whose life is insured;

12. "Insurer" includes any corporation, or any society "Insurer." or association, incorporated or unincorporated, any fraternal society or any person or partnership, or any underwriter or group of underwriters, that undertakes or effects, or agrees or offers to undertake or effect, a contract of insurance;

13. "Judge" means a judge of the Court; "Judge."

14. "Person" includes firm, partnership, corporation "Person." and unincorporated society or association;

15. "Premium" means the single or periodical pay- "Premium." ment to be made for the insurance, and includes dues and assessments.

**114.**—(1) Notwithstanding any agreement, condition or <sup>Application.</sup> stipulation to the contrary, this Part shall apply to every contract of life insurance made in the Province after the coming into force of this Part, and any term in any such contract inconsistent with the provisions of this Part shall be null and void.

(2) Unless hereinafter otherwise specifically provided, this <sup>Unmatured obligations under contract.</sup> Part shall apply to the unmatured obligations of every contract of life insurance made in the Province before the coming into force of this Part.

(3) This Part shall apply to every other contract of life <sup>Stipulation that Part shall apply.</sup> insurance made after the coming into force of this Part, where the contract provides that this Part shall apply or that the contract shall be construed or governed by the law of the Province.

(4) Where this Part applies to any contract, the rights and <sup>Application notwithstanding domicile of beneficiaries.</sup> status of beneficiaries and the powers of the insured with regard to the designation or appointment of beneficiaries and the apportionment of the insurance money shall be governed by the provisions of this Part, whether or not the insured or any of the beneficiaries is domiciled in the Province at the time at which the contract is made, or at any time subsequent thereto.

When contract deemed to be made in the Province.

**115.** A contract is deemed to be made in the Province,

- (a) If the place of residence of the insured is stated in the application or the policy to be in the Province; or,
- (b) If neither the application nor the policy contains a statement as to the place of residence of the insured, but the actual place of residence of the insured is within the Province at the time of the making of the contract.

*The Contract of Insurance.*

Policy to evidence a contract.

**116.** Every contract of insurance shall be evidenced by an instrument in writing called in this Part a policy.

Contents of policy.

**117.**—(1) Every policy issued after the coming into force of this Part by an insurer other than a fraternal society shall state the name or sufficient designation of the insured, of the person whose life is insured, and of the beneficiary, the insurance money payable, the manner of payment, the premium, and the facts which determine the maturity of the contract.

Payment of policy for less than \$1,000.

(2) Where the amount of insurance money, exclusive of dividends and bonus, is less than one thousand dollars, the policy, notwithstanding that it is expressed to be payable to a named or designated beneficiary, may provide that the insurance money may be paid to any relative by blood or connection by marriage of the insured or any other person appearing to the insurer to be equitably entitled to the same by reason of having incurred expense for the maintenance, medical attendance or burial of the insured or to have a claim against the estate of the insured in relation thereto.

Terms, etc. of contracts invalid unless set out in full.

**118.**—(1) Except in the case of a contract made with a fraternal society, no term or condition of a contract of insurance which is not set out in full in the policy or in a document or documents in writing attached to it, when issued, shall be valid or admissible in evidence to the prejudice of the insured or a beneficiary.

Subsequent alterations.

(2) Subsection 1 shall not apply to an alteration or modification of the contract agreed upon in writing by the insurer and the insured after the issue of the policy.

Contract of fraternal society.

(3) In the case of a contract of insurance made by a fraternal society, the Act or instrument of incorporation, if any, the constitution and laws of the society and any amendments validly made to them or any of them, and the application and medical examination signed by the applicant,

shall

shall constitute the contract between the society and its member.

**119.**—(1) The insured and the person whose life is insured shall each disclose to the insurer every fact within his knowledge which is material to the contract. Disclosure of material facts.

(2) Any conscious failure to disclose, or any misrepresentation of, a fact material to the contract, on the part of the insured or the person whose life is insured, shall render the contract voidable at the instance of the insurer. Non-disclosure or misrepresentation by insured.

(3) Any misrepresentation or fraudulent concealment on the part of the insurer of a fact material to the contract shall render the contract voidable at the instance of the insured. By insurer.

**120.**—(1) No contract shall be rendered void or voidable by reason of any misrepresentation, or any failure to disclose on the part of the insured or the person whose life is insured, in the application for the insurance or on the medical examination or otherwise, unless the misrepresentation or failure to disclose is material to the contract. Contracts not void unless fact material.

(2) The question of materiality shall be one of fact. Question of fact.

**121.** The statements made by the insured, or the person whose life is insured, in the application and on the medical examination, except fraudulent statements or statements erroneous as to age, shall be deemed to be true and incontestable after the contract has been in force for two years during the lifetime of the person whose life is insured. Incontestability after two years.

**122.**—(1) Where the age of the person whose life is insured is understated in the application, the insurance money shall be reduced to the amount which would have been payable in respect of the premium stated in the policy at the correct age, according to the tables of rates of premium of the insurer in force at the time of the issue of the policy. Age understated.

(2) Where such tables of rates of premium of the insurer do not extend to or include the rates for the correct age of the person whose life is insured, the insurance money shall be reduced in the proportion that the premium at the age stated in the application bears to the premium at the correct age, both premiums for this purpose being the net premiums shown in or deduced from the British Offices Life Table, 1893, O<sup>M</sup>(5), the rate of interest being three and one-half per centum per annum, or, at the option of the insurer, both premiums for this purpose being calculated on the same principles as govern the calculation of premiums for ages mentioned in the table Calculation of amount of benefits under policy.

of rates of premium of the insurer in force at the time of the issue of the policy.

Where age overstated.

(3) Where the age of the person whose life is insured is overstated in the application, and the policy does not provide that in that event the insurance money shall be increased, the insurer shall repay the amount by which the premium paid exceeds the premium which would have been payable in respect of the correct age, but if the policy so provides, the insurance money shall be increased to the amount which would have been payable in respect of the premium stated in the policy at the correct age according to the tables of rates of premium of the insurer in force at the time of the issue of the policy.

What to be deemed correct age and stated age.

(4) Where, by the terms or for the purposes of the contract, an addition is made to the age stated in the application, and the age is understated in the application, then, for the purpose of the calculation, the correct age and the stated age shall respectively be deemed to be the correct age and the stated age increased by such addition.

Where insurable age expressly limited.

(5) Where the application or contract expressly limits the insurable age, and the correct age at the date of the application exceeds the age so limited, the contract shall, during the lifetime of the person whose life is insured, but not later than five years from the date of the policy, be voidable at the option of the insurer within thirty days after the error comes to its knowledge.

When contract deemed to be completed.

**123.**—(1) Unless the contract or the application otherwise expressly provides, the contract shall not take effect or be binding on either party until the policy is delivered to the insured, his assign, or agent, or the beneficiary named therein and payment of the first premium is made to the insurer or its duly authorized agent, no change having taken place in the insurability of the life about to be insured subsequent to the completion of the application.

Payment of premium by cheque or note.

(2) Subject to the provisions of section 124, where a cheque, bill of exchange or promissory note payable to the insurer, or other written promise to pay the insurer, is given, whether originally or by way of renewal, for the whole or part of any premium, and the instrument, if payable on demand, is not paid upon presentment made on or after its date, or, if payable at a future time, is not paid upon presentment made at or after its maturity, the contract shall, unless otherwise provided in the policy, be void.

**124.**—(1) Where any premium (not being the initial premium), under any contract is unpaid, the insured, his assign or agent, or any beneficiary, may, within a period of grace of thirty days (or, in the case of a contract providing for the payment of premiums weekly, four weeks) from and excluding the day on which the premium is due, pay, deliver or tender to the insurer at its head office, or at its chief agency in the Province, or to its collector or authorized agent, the sum in default.

Thirty days  
of grace for  
payment of  
premiums.

(2) The payment may be made by sending a post office order or postal note, or a cheque payable at par and certified by a bank doing business in Canada under *The Bank Act*, or a draft of such bank, or a money order of an express company doing business in the Province, in a registered letter duly addressed to the insurer, and the payment, delivery or tender shall be deemed to have been made at the time of the delivery and registration of the letter at any post office.

Mode of pay-  
ment.

(3) Payment, delivery or tender as aforesaid shall have the same effect as if made at the due date of the premium.

Effect of  
payment.

(4) The period of grace hereinbefore in this section mentioned shall run concurrently with the period of grace, if any, allowed by the contract for the payment of a premium or of an instalment of premium.

Concurrent  
period of  
grace under  
contract.

(5) Upon the maturity of the contract during the said period of grace and before the overdue premium is paid, the contract shall be deemed to be in as full force and effect as if the premium had been paid at its due date, but the amount of such premium with interest (not in excess of six per centum per annum), and the balance, if any, of the current year's premium, may be deducted from the insurance money.

Deduction  
of premium  
where con-  
tract  
matures dur-  
ing period of  
grace.

(6) Nothing in this section shall deprive the insured of the benefit of any period of grace allowed by the contract in excess of the period of grace allowed by this section.

Extension  
of period of  
grace.

**125.** The insurer shall, upon request, furnish to the insured a true copy of the application for the insurance.

Right of  
insured to  
copy of  
application.

**126.** In a policy, or a declaration, the words "heirs," "legal heirs," "lawful heirs," or "next of kin" shall mean all persons entitled to share in the distribution of the personal estate of an intestate.

Meaning of  
"heirs,"  
"legal heirs,"  
etc.

**127.** No officer, agent, employee or servant of the insurer or any person soliciting insurance, whether an agent of the insurer or not, shall to the prejudice of the insured be deemed to be for

Agent, etc.,  
of insurer  
not to be  
agent of  
insured.

any purpose whatever the agent of the insured in respect of any question arising out of the contract of insurance.

*Insurable Interest.*

Insurable  
interest of  
adult in his  
own life.

**128.** Every person has an insurable interest in his own life.

Insurable  
interest in  
lives of  
others.

**129.** Without restricting the meaning which "insurable interest" now has in law, each of the following persons has an insurable interest:

- (a) A parent in the life of his child under twenty-five years of age;
- (b) A husband in the life of his wife;
- (c) A wife in the life of her husband;
- (d) One person in the life of another, upon whom he is wholly or in part dependent for support or education, or from whom he is receiving support or education;
- (e) A corporation or other person in the life of its or his officer or employee;
- (f) A person who has a pecuniary interest in the duration of the life of another person, in the life of that person.

Contract  
void without  
insurable  
interest

**130.** The contract shall be void, if, at the time at which it would otherwise take effect and be binding, the insured has no insurable interest.

When insur-  
able interest  
unnecessary.

**131.** Where the insured has at the time at which the contract takes effect an insurable interest in the life insured, it is not necessary for the validity of the contract or any assignment that any beneficiary, or any person claiming under an assignment, or by will or by succession, have an insurable interest.

*Policies on the Lives of Minors.*

Power of  
minor re-  
specting in-  
surance on  
his own life.

**132.**—(1) A minor over the age of fifteen years may effect contracts of insurance on his life and may do in respect of any such contract or of any contract of insurance on his life which he may have effected before attaining the said age whatever a person of full age may lawfully do, including the surrender of the contract, the borrowing of money on its security, the designation of beneficiaries and the alteration and revocation thereof, and the giving of receipts or discharges.



(2) In the case of insurance effected by a person of full age upon the life of a minor, the minor, after attaining the age of fifteen years, may, with the written consent of the person who effected the insurance do in respect of the insurance whatever he might have done in respect of a contract within the meaning of subsection 1. After the death of the person who effected the insurance, the written consent may be given by a parent or duly appointed guardian of the minor if the insurance was effected by a parent, and, in other cases, by the personal representative of the person who effected the insurance.

Insurance effected by adult on life of minor.

**133.**—(1) No insurer shall insure the life of a child under ten years of age in any sum, or pay on the death of a child under ten years of age any sum, which alone or together with any sum payable on the death of the child by any other insurer exceeds the following sums respectively:

Sums insurable at age less than ten.

\$20 if the child dies under the age of	1 year
50        "        "        "	2 years
75        "        "        "	3    "
100       "        "        "	4    "
130       "        "        "	5    "
160       "        "        "	6    "
200       "        "        "	7    "
250       "        "        "	8    "
320       "        "        "	9    "
400       "        "        "	10   "

(2) Where the age of the child at the date of the contract is less than ten years, and the insurer knowingly or without sufficient inquiry enters into any contract prohibited by this section, the premiums paid thereunder shall be recoverable from the insurer by the person paying the same, together with interest thereon at six per centum per annum.

Where insurance excessive.

(3) Every insurer which undertakes or effects insurance on the lives of children under ten years of age shall print the scale of benefits provided in subsection 1 in conspicuous type upon every circular or advertisement soliciting, and upon every policy of, such insurance.

Scale of benefits to appear on circular, etc.

(4) An insurer which knowingly contravenes the provisions of subsection 1 or 3 shall be guilty of an offence and liable to the penalties provided by law for the illegal conduct of insurance business in the Province.

Penalty.

(5) Nothing in subsections 1 and 3 shall apply to such contracts as were in force on the 14th day of April, 1892, or to a contract where the insured has a pecuniary interest in the life, or which limits the payment on the death of the child

Proviso.

before attaining ten years of age to the premiums that have been paid, with interest at the rate provided for in the contract.

*Beneficiaries.*

Beneficiaries  
for value.

**134.**—(1) Beneficiaries for value are beneficiaries who have given valuable consideration other than marriage and who are expressly stated to be, or described as, beneficiaries for value in the policy or in an endorsement thereon or in a subsequent declaration signed by the insured.

Preferred  
beneficiaries.

(2) Preferred beneficiaries are the husband, wife, children, grandchildren, father and mother of the person whose life is insured.

Ordinary  
beneficiaries.

(3) Ordinary beneficiaries are beneficiaries who are not preferred beneficiaries, beneficiaries for value or assignees for value.

Right of  
beneficiary  
for value or  
assignee for  
value.

**135.** A beneficiary for value and the assignee for value of a policy shall have a vested interest in the policy, and nothing in this Act shall enable the insured to restrict, interfere with or defeat the rights of such beneficiary or assignee.

Power of  
insured to  
deal with  
contract.

**136.**—(1) Subject to the rights of beneficiaries for value and assignees for value and to the provisions of this Act relating to preferred beneficiaries, the insured may designate the beneficiary by the contract or by a declaration, and may from time to time by any declaration appoint, appropriate or apportion the insurance money, or alter or revoke any prior designation, appointment, appropriation or apportionment, or substitute new beneficiaries, or divert the insurance money wholly or in part to himself or his estate, and may surrender the contract to the insurer, borrow from the insurer upon the security of the contract, receive the surplus or profits for his own benefit, and otherwise deal with the contract as may be agreed upon between him and the insurer.

Declaration  
by will.

(2) Where the declaration is made by a last will, the declaration as against a subsequent declaration shall be deemed to have been made at the date of the will and not at the death of the testator. A declaration contained in an unrevoked instrument purporting to be a will shall be effective as a declaration notwithstanding that the instrument is invalid as a testamentary document.

When bene-  
ficiaries  
share  
equally.

**137.** Where two or more beneficiaries are designated otherwise than alternatively, but no apportionment is made, they shall share equally.

**138.** Where there are several ordinary beneficiaries, if one or more of them die before the maturity of the contract and no apportionment or other disposition is subsequently made by the insured, and it is not otherwise provided for in the policy or prior declaration, the share of the deceased beneficiary or beneficiaries shall be payable to the surviving beneficiary or beneficiaries, in equal shares, if more than one, and if all the beneficiaries or the sole beneficiary die before the maturity of the contract and no other disposition is made by the insured and it is not otherwise provided for in the contract or prior declaration, the insurance money shall be payable to the insured or his estate.

Death of ordinary beneficiary before maturity of contract.

**139.**—(1) Where the insured, in pursuance of the provisions of section 136, designates as beneficiary or beneficiaries, a member or members of the class of preferred beneficiaries, a trust is created in favour of the designated beneficiary or beneficiaries, and, so long as any of the class of preferred beneficiaries remains, the insurance money, or such part thereof as is or has been apportioned to a preferred beneficiary, shall not, except as otherwise provided in this Act, be subject to the control of the insured, or of his creditors, or form part of the estate of the insured.

Trust in favour of preferred beneficiaries.

(2) The provisions of subsection 1 are subject to any vested rights of beneficiaries for value and assignees for value, to the provisions hereinafter contained relating to preferred beneficiaries, and to any contingency or limitation stated in the instrument by which the insured first designates the preferred beneficiary or beneficiaries; provided, that no provision in such instrument reserving to the insured the right to revoke or abridge the interest of a preferred beneficiary shall be effective so as to enable the insured to revoke or abridge such interest in favour of any person not in the class of preferred beneficiaries.

Proviso: Vested rights of beneficiaries for value, etc.

(3) The insured, in the instrument by which he designates the preferred beneficiary or beneficiaries, may provide that if a designated beneficiary is not living at the maturity of the contract, the insurance money or any part thereof that would have been payable to such designated beneficiary, if living, shall be payable to the insured, to his estate, or to any other person, whether or not such person is a member of the class of preferred beneficiaries, or may provide that a designated beneficiary shall be entitled only to the income derived from the insurance money or any part thereof for life or for a term of years or otherwise.

Right of insured to designate alternative beneficiary

**140.** Notwithstanding the designation of a preferred beneficiary or beneficiaries, the insured may subsequently exercise

Insured may vary benefit or beneficiary.

the powers conferred by section 136 so as to restrict, limit, extend or transfer the benefits of the contract to any one or more of the class of preferred beneficiaries to the exclusion of any or all others of the class, or wholly or partly to one or more for life or any other term or subject to any limitation or contingency, with remainder to any other or others of the class.

Meaning of  
"wife" and  
"children."

**141.**—(1) Subject to the provisions of the next following section, where by the policy or by a subsequent declaration the insurance money or any part of it is made payable to or for the benefit of the wife of the person whose life is insured, his future wife, his wife and children or his future wife and children generally, or his children generally, the word "wife" means the wife living at the maturity of the contract, and the word "children" includes all the children of the person whose life is insured living at the maturity of the contract as well as the issue living at the maturity of the contract of any child of his who predeceases him, such issue taking by representation.

Application.

(2) The provisions of subsection 1 shall *mutatis mutandis* apply to insurance effected by a woman on her life where the insurance money or any part of it is made payable to or for the benefit of her husband or future husband, her husband and children or future husband and children generally, or her children generally.

Where  
beneficiaries  
are designat-  
ed by name.

(3) Subsections 1 and 2 shall not apply where the beneficiary or beneficiaries is or are designated by name, or otherwise definitely indicated.

Disposal of  
share of  
deceased  
preferred  
beneficiary.

**142.**—(1) In case of the death, before the maturity of the contract, of any preferred beneficiary, whether designated by name or not, his share may be dealt with or disposed of by the insured under section 136 to the same extent as if the deceased beneficiary had not been a preferred beneficiary.

Share of  
beneficiary  
dying before  
maturity of  
contract,—  
how payable.

(2) Subject to subsection 1 and to any provision in the policy or a declaration, the share of a preferred beneficiary who dies before the maturity of the contract shall be payable as follows:—

(a) If the deceased beneficiary was a child of the person whose life is insured, and has left issue surviving at the maturity of the contract, his share, and any share to which he would have been entitled if he had survived, shall be payable to such issue in equal shares.

(b) If there is no person entitled under clause a, the share of such deceased beneficiary shall be payable

to the surviving designated preferred beneficiary or beneficiaries in equal shares.

- (c) If there is no person entitled under clauses *a* and *b*, the share of such deceased beneficiary shall be payable in equal shares to the wife or husband and the child or children of the person whose life is insured living at the maturity of the contract, and the issue then living of any deceased child of the person whose life is insured, such issue taking in equal shares the share to which his or their parent would have been entitled if living.
- (d) If there is no person entitled under clauses *a*, *b* and *c*, the share of such deceased beneficiary shall be payable to the insured, or his estate.

**143.**—(1) Where the wife or husband of the person whose life is insured is designated as beneficiary, and is subsequently divorced, all interest of the beneficiary under the policy shall pass to the insured or his estate, unless such beneficiary is a beneficiary for value, or an assignee for value. Divorce.

(2) Where a divorce has been granted on the application of the beneficiary, the beneficiary shall be estopped from denying the validity of the divorce for the purpose of this section. Estoppel as to validity of divorce

(3) Until the insurer receives notice in writing of the Act of Parliament, judgment, decree or order granting the divorce, it may deal with the insurance money in the same manner and with the same effect as if no divorce had been granted, and before paying the insurance money, the insurer shall be entitled to receive the original judgment, order or decree or a duly verified copy thereof, or a duly verified copy of the Act of Parliament, or a copy thereof printed by the King's printer, as the case may be. Notice of divorce.

(4) Nothing in subsection 3 shall affect the right of any person entitled to payment by virtue of such divorce to recover from any person to whom payment is made by the insurer. Recovery

**144.** Where the wife or husband of the person whose life is insured is designated as beneficiary, and it appears, in the case of the wife, that she is living apart from her husband in circumstances disentitling her to alimony, or in the case of the husband, that he is living apart from his wife in circumstances disentitling him to an order for restitution of conjugal rights, and that there is no other member of the class of preferred beneficiaries whom the insured may designate as Wife or husband of insured living apart.

beneficiary

beneficiary in place of the designated beneficiary, the court may, on the application of the insured, and on such terms as may seem fit, declare the designated beneficiary disentitled to claim the benefit of the provisions of this Part relating to preferred beneficiaries, and the insured may then deal with the policy as provided by section 136.

Surrender of  
or borrowing  
on contract  
where preferred  
beneficiary

**145.**—(1) Where a preferred beneficiary is designated, the insured may surrender the contract to the insurer and accept in lieu thereof any paid-up or extended insurance provided by the contract in favour of the preferred beneficiary.

Borrowing  
on policy.

(2) Where a preferred beneficiary is designated, the insured may, from time to time, borrow from the insurer on the security of the contract, such sums as may be necessary and are applied to keep it in force, and the sums so borrowed, with such interest as may be agreed on, shall be a first charge on the contract and the insurance money.

Disposal of  
surplus or  
profits where  
preferred  
beneficiary.

**146.**—(1) Notwithstanding the designation of a preferred beneficiary, any person who has effected a participating contract may either receive the surplus or profits for his own benefit or may, from time to time, either apply the same in payment or reduction of premiums, or direct them to be added to the insurance money; and the share of each beneficiary shall, in the last case, be proportionately increased.

Obligation  
of insurer.

(2) The insurer shall not be obliged to pay or apply such surplus or profits in any manner contrary to the stipulations in the contract.

Dealing with  
contract  
with consent  
of bene-  
ficiary.

**147.**—(1) Where all the designated preferred beneficiaries are of full age, they and the insured may surrender the contract or may assign or dispose of the same either absolutely or by way of security, to the insurer, the insured or any other person, but notwithstanding anything herein contained the insured may exercise the borrowing powers conferred by section 145 without the concurrence of any beneficiary.

Where bene-  
ficiaries  
include wife  
or children  
or grand-  
children.

(2) Where the beneficiaries, whether designated by name or not, include the wife or children or grandchildren, it shall be sufficient, so far as their interests are concerned, if all then living are of full age and join in the surrender, assignment or disposal.

Consent of  
contingent  
beneficiary  
not neces-  
sary.

**148.** Where by a contract a person is to become entitled to insurance money only in the event of the death of another person named as a beneficiary it shall not be necessary for such first mentioned person to join in any surrender, assignment or disposal of the contract.

**149.**—(1) Where the insurance money is payable in instalments and the contract, or a subsequent instrument in writing signed by the insured and delivered to the insurer, expressly provides that the beneficiary shall not have the right to commute the instalments or to alienate or assign his interest therein, the insurer shall not commute the instalments or pay them to any person other than the beneficiary, and the instalments shall not, in the hands of the insurer, be subject to legal process except in an action to recover for necessities supplied to the beneficiary or his or her infant children.

Dealing with insurance money payable in instalments.

(2) Notwithstanding anything contained in subsection 1, Conferring right to commute in beneficiary.

(a) the insured may, by an instrument in writing signed by him and delivered to the insurer, declare that the beneficiary shall have the right to commute, or alienate or assign, as the case may be;

(b) the Court may, upon the application of the insurer or the beneficiary, upon at least ten days' notice, declare that in view of special circumstances the beneficiary shall have the right to commute, or alienate or assign, as the case may be;

(c) after the death of the beneficiary his personal representatives may commute any instalments payable to them.

(3) In this section the word "instalments" includes insurance money or any part thereof held by the insurer under the provisions of the next following section. "Instalments" meaning of.

**150** Subject to the provisions of this Part relating to preferred beneficiaries, where it is so expressly provided in the contract or by any subsequent agreement in writing, the insurer may hold the insurance money or any part thereof after maturity of the contract subject to the order of the beneficiary, or upon such trusts or other agreements for the benefit of the beneficiary as may be provided in the contract or agreement, allowing and paying to the person entitled to such insurance money, or any part thereof, interest thereon at a rate not less than that specified in the contract or agreement for the term during which the insurer retains such insurance money or any part thereof. Insurer holding insurance money after maturity of contract.

**151.**—(1) Until the insurer receives notice in writing of the making of an order declaring a beneficiary disentitled to insurance money, or of any instrument in writing affecting Payments by insurer without notice of change in title to insurance money.

the



the insurance money or any part thereof or of the appointment or the revocation of the appointment of a trustee, it may make any payment which would have been lawful and valid except for such order, instrument in writing, appointment or revocation of appointment, and before making any payment in pursuance or under the authority of such order, instrument in writing, appointment or revocation of appointment, it shall be entitled to receive the original or a true copy thereof.

Right to recover from person receiving payment.

(2) Nothing in this section shall affect the right of any person entitled to payment by virtue of such order, instrument in writing, appointment or revocation of appointment, to recover from any person to whom payment has been made by the insurer.

*Proof of Claim and Payment.*

Proof of age of insured and right of claimant.

**152.**—(1) The insurer shall be entitled to reasonably sufficient proof in writing verified by affidavit or statutory declaration of the maturity of the contract, of the age of the person whose life is insured and of the right of the claimant to receive payment of the insurance money.

Proof of names and ages of minors.

(2) Where the insurance money or part thereof is payable to or for the benefit of minors, the insurer shall be entitled to reasonably sufficient proof of the names and ages of the minors.

Time of payment

**153.**—(1) Insurance money which is expressed to be payable at the maturity of the contract shall be payable thirty days after reasonably sufficient proof has been furnished to the insurer of the maturity of the contract, of the age of the person whose life is insured, and of the right of the claimant to receive payment.

How payable.

(2) Insurance money shall be payable in the Province in lawful money of Canada.

Application to Court for declaration as to sufficiency of proofs.

**154.**—(1) Where the insurer does not admit the sufficiency of the proof furnished by the claimant of the maturity of the contract, or of the age of the person whose life is insured, or of the right of the claimant to receive payment of the insurance money, and where there is no other question in issue, except a question under subsection 2, the insurer or the claimant may, before or after action brought, upon at least ten days' notice, apply to the Court for a declaration as to the sufficiency of the proof furnished, and the Court may direct what further evidence of the age of the person whose life is insured shall be furnished, or, in special circumstances, may dispense with

further



further evidence of the age of the person whose life is insured.

(2) Where the claimant alleges that the person whose life is insured is presumed to be dead by reason of his not having been heard of for seven years, and where there is no other question in issue except a question under subsection 1, the insurer may, before or after action brought, upon at least ten days' notice, apply to the Court for a declaration as to the presumption of death.

Obtaining  
declaration  
of presumption  
of death.

(3) If the Court finds that the proof of the maturity of the contract or of the age of the person whose life is insured or of the right of the claimant to receive payment is sufficient, or that a presumption of death has been established, or makes an order directing what further evidence of the age of the person whose life is insured shall be furnished or dispensing with further evidence of the age of the person whose life is insured, the finding or order of the Court shall, subject to appeal, be conclusive and binding upon the parties to the application, and the Court may make such order as to the payment of the insurance money and as to the costs as to it may seem just.

Order of  
Judge.

(4) The payment by the insurer in accordance with the order shall discharge it from liability in respect of such payment.

Effect of  
payment.

(5) If the Court does not find that the proof of the maturity of the contract, of the age of the person whose life is insured, or of the right of the claimant to receive payment is sufficient, or that the presumption of death is established, the Court may order that the question or questions in issue be decided in an action brought or to be brought, or may make such other order as to it seems just as to further proof to be furnished by the claimant, as to publication of advertisements, as to further inquiry, and as to costs, or otherwise.

Powers of  
Judge

(6) Unless otherwise ordered by the Court, the application shall operate as a stay of any pending action with respect to the insurance money.

Stay of  
proceedings

**155.** Where the person whose life is insured and any one or more of the beneficiaries perish in the same disaster, it shall be *prima facie* presumed that the beneficiary or beneficiaries died first.

Presumption  
where  
insured and  
beneficiary  
perish in  
same  
disaster.

*Miscellaneous.***Limitation  
of actions**

**156.**—(1) Subject to the following subsections of this section, any action or proceeding against the insurer for the recovery of insurance money shall be commenced within one year next after the furnishing of reasonably sufficient proof of the maturity of the contract and of the right of the claimant to receive payment, or within six years next after the maturity of the contract, whichever period shall first expire, but not afterwards.

**Where  
declaration  
has been  
made as to  
presumption  
of death.**

(2) Where an order has been made declaring that death is presumed from the fact that the person whose life is insured has not been heard of for seven years, an action or proceeding shall be commenced within one year and six months from the date of the order, but not afterwards.

**Where death  
is unknown  
to bene-  
ficiary.**

(3) Where the death of the person whose life is insured is unknown to the person entitled to claim under the contract, an action or proceeding may be commenced within the prescribed period or within one year and six months after the death becomes known to him.

**Where action  
prematurely  
brought.**

(4) Where an action or proceeding is prematurely brought, the plaintiff may commence a new action or proceeding at any time within the prescribed period or within six months after the final determination of the first action or proceeding.

**Appoint-  
ment of  
Trustees.**

**157.**—(1) The powers conferred upon the insured by this Part with regard to the designation or appointment of a beneficiary or beneficiaries, and the alteration or revocation of such designation or appointment, and the apportionment or reapportionment of insurance money between or among beneficiaries, shall include power from time to time to appoint a trustee or trustees for any beneficiary or beneficiaries, to revoke such appointment or alter its terms, to appoint a new trustee or trustees, or to make provision for the appointment of a new trustee or trustees.

**Restriction  
in effect of  
appoint-  
ment.**

(2) The appointment of a trustee or trustees for any beneficiary shall not have the effect of taking away from the court or the insured any power of depriving the beneficiary of the benefit of the insurance money which the court or the insured would have under this Act if such beneficiary had been designated as beneficiary without the appointment of a trustee.

**Discharge of  
insurer by  
payment to  
trustee.**

(3) Payment made to the trustee or trustees appointed as hereinbefore provided shall discharge the insurer.

**158.**—(1) Where no trustee is appointed to receive the shares to which minors or other persons who are under disability are entitled, or where a trustee is named, but refuses or neglects to act, the shares of such minors or other persons under disability may be paid to a guardian or tutor or trustee of such minors or to a curator, committee or trustee of such other persons under disability duly appointed under the law of this Province.

Payment of shares of infants, lunatics, etc.

(2) Where insurance money not exceeding two thousand dollars is payable to the husband and children or to the wife and children, or to the children of the person whose life is insured, and one or more of the children are minors, the Court may, if the wife is the mother of such minors, appoint her their guardian, or if the husband is the father of such minors, appoint him their guardian, with or without security, and the insurance money may be paid to him or her as guardian.

Appointment of father or mother as guardian.

(3) Where it appears that a guardian, tutor, curator, committee or trustee of minors or other beneficiaries under disability has been appointed in a foreign jurisdiction, and that the minors or other beneficiaries are resident within that jurisdiction, the court may authorize payment of the insurance money to the guardian, tutor, curator, committee or trustee with or without security in the Province.

Payment to fiduciary appointed in foreign jurisdiction.

**159.**—(1) Where the insurer admits liability for the insurance money or any part thereof, and,

Insurer may obtain order for payment into Court.

(a) there are adverse claimants; or,

(b) the place of abode of a person entitled is unknown; or,

(c) there is no person capable of giving a valid discharge;

the insurer may, at any time after the expiration of one month from the maturity of the contract, apply to the Court for an order for payment of the money into Court.

(2) Where the insurer admits liability for the insurance money or any part thereof payable to a minor and there is no person capable of giving a valid discharge therefor, the insurer may at any time after the expiration of one month from the maturity of the contract, pay such money, less the costs mentioned in subsection 3, into Court to the credit of the minor.

Payment into Court to credit of minor.

(3) The insurer may retain out of the insurance money for costs ten dollars if the amount does not exceed one thousand

Costs.

dollars

dollars, and fifteen dollars in other cases, and payment of the remainder into Court shall discharge the insurer.

Order not  
necessary  
procedure.

(4) No order shall be necessary for payment into Court under subsection 2, but the accountant or other proper officer shall receive the money upon the insurer filing with him an affidavit showing the amount payable and the name, date of birth and residence of the minor, and upon such payment being made the insurer shall forthwith notify the Official Guardian of infants and deliver to him a copy of the affidavit.

On two  
months  
default  
Court may  
make order.

**160.** Where the insurer does not within two months after due proof of the claim, pay the insurance money to some person competent to receive the same under this Part or into Court, the Court may, upon application of any person, order that the insurance money, or any part thereof, be paid into Court or may make such other order as to the distribution of such money as to the Court may seem just, and payment made in accordance with such order shall be a sufficient discharge to the insurer.

Costs.

**161.** The Court may order the costs incurred upon or in connection with any application or order made under section 159 or 160 to be paid out of the insurance money or by the insurer or the applicant or otherwise as may seem just.

Construction  
of Part.

**162.** This Part shall be so interpreted and construed as to effect its general purpose of making uniform the law of those provinces which enact it.

## PART VI.

## AUTOMOBILE INSURANCE.

**163.** This Part shall apply to automobile insurance and <sup>Application.</sup> to any insurer carrying on the business of automobile insurance in Ontario.

**164.**—(1) No contract shall be made for a term exceeding <sup>Term of</sup> three years, but any contract may be renewed by the delivery <sup>contract.</sup> of a new policy, a renewal receipt or a new premium note.

(2) Where only the amount of the insurance, the rate <sup>Renewal.</sup> of premium and/or the method of rating in a contract is changed, a continuance of the insurance for a further term shall be deemed a renewal of the contract within the meaning of subsection 1.

**165.**—(1) Subject to the provisions of subsection 4, an <sup>Written</sup> insurer shall not effect a contract of automobile insurance, <sup>application.</sup> except a renewal thereof within the meaning of section 164, unless such insurer has received an application therefor in writing signed by the insured, or by his agent, authorized in writing signed by the insured.

(2) A copy of the application shall be attached to and form <sup>Copy</sup> part of the policy when issued by such insurer. <sup>thereof.</sup>

(3) The application shall set forth the insured's occupation or business, the description of the automobile insured, its purchase price to the insured, whether fully paid for or otherwise, whether purchased new or second-hand, particulars of any mortgage, lien or other encumbrance, the uses to which it is and will principally be put, the place where it is and will be principally maintained and garaged, the locality where it is and will be principally used, the fact of any accident in which an automobile owned or operated by the insured has been involved, the particulars of any claims made against and by the insured in respect of the ownership or operation of any automobile, whether any insurer has cancelled any automobile policy of the insured, or refused to issue automobile insurance to the insured, and such further information as the insurer may require. <sup>Contents of</sup> <sup>application.</sup>

(4) An insurer may, without a written application, effect <sup>Temporary</sup> a contract of insurance for a period not exceeding fourteen <sup>insurance.</sup> days and may issue an interim receipt or temporary binder in respect thereof.

(5) Upon every written application there shall be printed or stamped in conspicuous type, not less in size than ten point <sup>Notice to</sup> and in red ink the following words: <sup>applicant on</sup> <sup>written</sup> <sup>application.</sup>

"If

"If the applicant knowingly misrepresents or conceals any fact or circumstance required by this application to be made known, the contract of insurance shall be void as to the property or risk undertaken in respect of which the misrepresentation or omission is made."

Contents of policy.

**166.** Every policy shall contain the name and address of the insurer, the name and address of the insured, the name of the person or persons to whom the insurance money is payable, if other than the insured, the premium for the insurance, the perils or risks insured against, the indemnity for which the insurer may become liable, the event on the happening of which such liability is to accrue, and the term of the insurance.

Limitation of risk.

**167.** The contract may provide for the exclusion, from the risks insured against, of losses arising from any hazard or class of hazard expressly stated in the policy.

Statutory conditions.

**168.** The conditions set forth in this section shall, subject to the provisions of sections 169 and 170, be deemed to be part of every contract of automobile insurance in force in Ontario and the said conditions shall be printed on every policy under the heading "Automobile Statutory Conditions."

### *Automobile Statutory Conditions.*

Material facts.

1. All statements made by the insured upon the application for this policy shall, in the absence of fraud, be deemed representations and not warranties, and no such statement shall be used in defence of a claim under this policy unless it is contained in the written application for the policy and unless a copy of the application, or such part thereof as is material to the contract, is endorsed upon or attached to the policy when issued.

Misrepresentation.

2. If any person applying for insurance falsely describes the property to the prejudice of the insurer, or knowingly misrepresents or conceals or omits to communicate any circumstance which is required by the terms of the written application to be made known to the insurer, the contract shall be void as to the property or risk undertaken in respect to which the misrepresentation or omission is made.

Material change in risk.

3. Any change material to the risk, and within the control and knowledge of the insured, shall void the policy as to the part affected thereby, unless the change is promptly notified in writing to the insurer or its local agent; and the insurer when so notified may return the unearned portion, if any, on

the

the premium paid, and cancel the policy, or may notify the insured in writing that, if he desires the policy to continue in force, he must, within fifteen days of the receipt of the notice pay to the insurer an additional premium, and in default of such payment the policy shall no longer be in force and the insurer shall return the unearned portion, if any, of the premium paid.

4. After a written application for insurance, it shall be deemed that any policy sent to the insured is intended to be in accordance with the terms of the application, unless the insurer points out by registered letter addressed to the insured the particulars wherein it differs from the application, in which case the insured may, within one week from the receipt of the notification, reject the policy.

Form of contract.

5. The insurer shall not be liable under this policy while the automobile, with the knowledge, consent or connivance of the insured is being driven by a person under the age limit fixed by law, or, in any event, under the age of 16 years, or by an intoxicated person.

Risks not covered.

6.—(1) Unless otherwise specifically stated in the policy, or endorsed thereon, the insurer shall not be liable,—

Risks not covered except by permission.

- (a) For loss or damage caused by earthquake, invasion, insurrection, riot, civil commotion, military or usurped power;
- (b) If the interest of the insured in the automobile is other than unconditional and sole ownership;
- (c) If the automobile is or becomes encumbered by any lien or mortgage;
- (d) If there is any material change in the nature of the insurable interest of the insured in the automobile, by sale, assignment or otherwise, except through change of title by succession, or by death, or by an authorized assignment under *The Bankruptcy Act*;
- (e) If at the time a loss, damage or accident occurs there is any other insurance, of the same interest, whether valid or not, covering said loss or damage, or any portion thereof, which would have been in force if this insurance had not been effected.

(2) If permission has been given for other insurance under paragraph *e* of this condition, the insurer will be liable only for his rateable proportion of such loss or damage.

Where other insurance in force.



Inspection.

7. The insurer shall be permitted at all reasonable times to inspect the automobile and its equipment.

Accidents to the persons and property of others.

8.—(1) Upon the occurrence of an accident involving bodily injuries or death, or damage to property of others, the insured shall promptly give written notice thereof to the insurer, with the fullest information obtainable at the time. The insured shall give like notice, with full particulars of any claim made on account of such accident, and every writ, letter, document or advice received by the insured from or on behalf of any claimant shall be immediately forwarded to the insurer.

Obligations on insured in case of loss.

(2) The insured shall not voluntarily assume any liability or settle any claim except at his own cost. The insured shall not interfere in any negotiations for settlement or in any legal proceeding, but, whenever requested by the insurer, shall aid in securing information and evidence and the attendance of any witnesses, and shall co-operate with the insurer, except in a pecuniary way, in all matters which the insurer deems necessary in the defence of any action or proceeding or in the prosecution of any appeal.

When action not to lie against insurer.

(3) No action to recover the amount of a claim under this policy shall lie against the insurer unless the foregoing requirements are complied with, and such action is brought after the amount of the loss has been ascertained either by a judgment against the insured after trial of the issue or by agreement between the parties with the written consent of the insurer, and no such action shall lie in either event unless brought within one year thereafter.

Loss or damage to the automobile.

9.—(1) Upon the occurrence of any loss of or damage to the insured automobile, the insured shall, if such loss or damage is covered by this policy,

- (a) Forthwith give notice thereof, in writing, to the insurer, with fullest information obtainable at the time, and shall, at the expense of the insurer, and as far as reasonably possible, protect the automobile from further loss or damage, and any such further loss or damage accruing directly or indirectly from a failure to protect shall not be recoverable hereunder. No repairs shall be undertaken or any physical evidence of the loss or damage removed without the written consent of the insurer, except such repairs as are immediately necessary for the protection of the automobile from further loss or damage; or until the insurer has had a

reasonable



reasonable time to make the examination provided for in subsection 2 of this condition;

- (b) Deliver to the insurer within ninety days of the date of the loss or damage a statutory declaration stating the place, time and cause of the loss or damage, so far as the insured knows or believes, the interest of the insured and of all others in the automobile, the sound value thereof, the amount of loss or damage thereto, all encumbrances thereon, and all other insurance, whether valid or not, covering the automobile and that the loss or damage did not occur through any wilful act or neglect, procurement, means or connivance of the insured.

(2) After any loss or damage to an insured automobile, the insurer shall have right of access to and examination of such automobile by accredited agents of the insurer sufficient to enable such agents to ascertain the amount of the damage sustained.

Right of insurer to access and examination.

(3) The insured shall submit to examination under oath, and shall produce for examination, at such reasonable place as is designated by the insurer or its representative, all books of account, bills, invoices and other vouchers, in his possession or control which relate to the matters in question, and shall permit extracts and copies thereof to be made.

Examination of insured.

(4) The insurer shall not be liable beyond the actual cash value of the automobile at the time any loss or damage occurs, and the loss or damage shall be ascertained or estimated according to such actual cash value with proper deduction for depreciation, however caused, and shall in no event exceed what it would cost to repair or replace the automobile or any part thereof with material of like kind and quality; provided, that in the event of any part of the automobile being obsolete and out of stock the liability of the insurer in respect thereof shall be limited to the value of such part at the time of loss or damage not exceeding the maker's last list price; the ascertainment or estimate of such loss or damage shall be made by the insured and the insurer, or if they disagree, then by appraisers, as hereunder provided.

Limitation of liability of insurer.

(5) Except where an appraisal has been had, the insurer, instead of making payment, may within a reasonable time repair, rebuild or replace the property damaged or lost with other of like kind and quality, giving written notice of its intention so to do within seven days after receipt of the proofs

Right of insurer to repair, etc.

of loss; but there can be no abandonment of the automobile to the insurer without its consent. In the event of the insurer exercising such option, the salvage, if any, shall revert to it.

Disagree-  
ment as to  
repairs and  
replacements

(6) In the event of disagreement as to the nature and extent of the repairs and replacements required, or as to their adequacy, if effected, or as to the amount payable in respect of any loss or damage, such questions shall be determined by appraisers before recovery can be had hereunder whether the right to recover on the policy is disputed or not, and independently of all other questions. The insured and the insurer shall each select one appraiser, and the two so chosen shall then select a disinterested umpire. Thereafter the two appraisers together shall estimate or appraise the loss or damage, stating separately sound value and damage, or determine the adequacy of such repairs or replacements, and failing to agree, shall submit their differences to the umpire.

Appraisers.

Failure of  
appointment  
of appraisers  
or umpire.

(7) In case either party fails to name an appraiser within seven clear days after being served with written notice so to do, or in case the appraisers fail to agree upon an umpire within fifteen days after their appointment, or in case an appraiser or umpire refuses to act or is incapable of acting, or dies, a judge of a superior, county or district court having jurisdiction in the county or district in which the appraisal is to be made may appoint such appraiser or umpire on the application of the insured or of the insurer.

Award.

(8) An award in writing of the two appraisers, or of one appraiser and the umpire, shall determine the nature and extent or adequacy of the repairs and replacements, or the amount of such loss or damage.

Payment of  
appraisers  
and umpire.

(9) Each party shall pay the appraiser selected by him, and shall bear equally the other expenses of the appraisal and of the umpire.

Waiver not  
to be  
presumed.

(10) Neither the insurer nor the insured shall be deemed to have waived any provision or condition of this policy by any act relating to the appraisal, or to the delivery and completion of proofs of loss, or to the investigation or adjustment of the claim.

Time for  
payment of  
loss.

(11) The sum for which the insurer is liable hereunder for loss or damage shall be payable within sixty days after the proof of loss herein required has been received by the insurer, but if appraisal is demanded, then within fifteen days after the award has been made by the appraisers. No suit or action, however, may be brought for the recovery of any

claim

claim unless the insured has complied with the foregoing requirements, nor unless such action is commenced within one year after the happening of the loss.

Limitation of action.

10. Notice of claim may be given and proofs of claim may be made by the agent of the insured, in case of the absence of the insured or in case of inability of the insured to give the notice or make the proof, such absence or inability being satisfactorily accounted for, or in the like case or if the insured refuses to do so, by a person to whom any part of the insurance money is payable.

Who may give notice and proofs of claim.

11. Any fraud or wilfully false statement made under oath or in a declaration in relation to any of the above particulars shall vitiate the claim of the person making the declaration in any matter affected by such fraud or false statement.

Fraud

12. The insurer on paying the loss shall be subrogated to the extent of such payment to all right of recovery against any third party, and on such payment, or on assuming liability therefor may require from the insured a transfer of his rights against such third party, and the insured shall execute all documents properly required by the insurer to secure to it such rights.

Subrogation.

13.—(1) This policy may be cancelled at any time at the request of the insured, and the insurer shall, upon surrender of the policy, refund the excess of paid premium above the customary short rate premium for the time the policy has been in force.

Cancellation at instance of insured.

(2) This policy may be cancelled at any time by the insurer giving to the insured fifteen days' notice in writing of cancellation by registered mail, or five days' notice of cancellation personally delivered, and refunding the excess of paid premium beyond the *pro rata* premium for the expired time. Repayment of excess premiums may be made by money, post office order, postal note or cheque. Such repayment shall accompany the notice, and in such case, the fifteen days above mentioned shall commence to run from the day following the receipt of the registered letter at the post office to which it is addressed.

At instance of insurer.

14. No condition or provision of this policy either in whole or in part, shall be deemed to have been waived or altered by the insurer unless the waiver is clearly expressed in writing signed by the manager of the insurer or its chief agent for Canada or this Province.

Waiver.

15. Any written notice to the insurer may be delivered or sent by registered post to the chief agency or head office of

Notice.

the

the insurer in this Province. Written notice may be given to the insured by letter personally delivered to him or by registered letter addressed to him at his last post office address, notified to the insurer, or, where no address is notified and the address is not known, addressed to him at the post office of the agency, if any, from which the application was received.

Condition 8 may be omitted in certain cases.

**169.**—(1) If the policy does not insure against accident to persons or damage to property of others than the insured, condition number 8 may be omitted from the policy.

Omission of condition 9.

(2) If the policy does not insure against loss or damage to the insured automobile, condition number 9 may be omitted from the policy.

Notice of omission.

(3) If a condition is omitted pursuant to this section there shall be inserted, after the Condition number, the following words, within brackets, “[*This Condition is not applicable to this policy and is omitted pursuant to statute.*]”

Variations in conditions.

**170.**—(1) If an insurer desires to vary, omit or add to the automobile statutory conditions or any of them, except as provided in the preceding section, there shall be printed in conspicuous type, not less in size than ten point, and in red ink, immediately after such conditions, the proposed variations or additions or a reference to the omissions with these introductory words:

“*Variations in Conditions.*”

“This policy is issued on the above statutory conditions with the following variations, omissions and additions, which are, by virtue of *The Ontario Insurance Act, 1924*, in force so far only as they shall be held to be just and reasonable to be exacted by the insurer.”

Variation to be just and reasonable.

(2) No variation, omission or addition shall be binding on the insured unless the foregoing provisions of this section have been complied with; and any variation, omission or addition shall be so binding only in so far as it is held by the court before which a question relating thereto is tried, to be just and reasonable.

Extension of cover not a variation.

(3) Where permission is given in the statutory conditions for extension of the insurance to additional risks or coverage by the use, in the statutory conditions, of the words “unless otherwise specifically stated in the policy,” or words to the like effect, such extension expressly made in the policy shall not be deemed to be a variation of the statutory conditions within the meaning of this section.

**171.** No red ink shall be used on the face of a policy <sup>Use of red ink.</sup> except the name, address and emblem of the insurer, and the policy number and for the purposes mentioned in this Act.

**172.** In any case where there has been imperfect compliance with a statutory condition as to the proof of loss to be given by the insured, or as to any matter or thing to be done or omitted by the insured after the maturity of the contract, and a consequent forfeiture or avoidance of the insurance, in whole or in part, and the Court deems it inequitable that the insurance should be forfeited or avoided on that ground, the Court may relieve against the forfeiture or avoidance on such terms as it may deem just. <sup>Relief from forfeiture.</sup>

**173.**—(1) A policy may contain a partial payment of loss clause to the effect that the insurer in the event of loss shall pay only an agreed proportion of any loss which may be sustained or the amount of the loss after deduction of a sum specified in the policy, in either case not exceeding the amount of the insurance, in which case there shall be printed or stamped upon the face of the policy in conspicuous type in red ink, the words: "This policy contains a partial payment of loss clause." <sup>Partial payment of loss clause</sup>

(2) Such partial payment of loss clause shall not be deemed an addition to the statutory conditions or be subject to the provisions of section 170. <sup>Clause not to be deemed an addition or variation.</sup>

**174.** Any act or omission of the insurer resulting in imperfect compliance with any of the provisions of this Part shall not render the contract invalid as against the insured. <sup>Rights of insured.</sup>

**175.** Notwithstanding anything in this Part contained, an automobile may be insured under a fire insurance policy against loss or damage by fire as provided in subsection 3 of section 89. <sup>Coverage under fire policy.</sup>

**176.** Where by the statutory conditions of an automobile insurance policy the holding of an appraisal is provided for in the event of a dispute as to the amount of the loss or the adequacy of the repairs under the policy, no action shall be brought to recover the amount secured by the policy if the amount of the loss or the adequacy of the repairs is in dispute, until the award of the appraisers has been rendered in accordance therewith, and in any such action the award of the appraisers shall be conclusive as to the amount of the loss, or the adequacy of the repairs. 1922, c. 61, s. 14. <sup>Prohibition of action before award of appraisers.</sup>

## PART VII.

## ACCIDENT AND SICKNESS INSURANCE.

**Application.** **177.**—(1) This Part shall apply to accident and sickness insurance and to an insurer undertaking accident and sickness insurance in the Province but shall not apply to any fraternal society or to its contracts.

**What rights may be insured against.** (2) Every insurer licensed for the transaction of accident or sickness insurance may, within the limits and subject to the restrictions prescribed by the license, insure or reinsure any person against accident, sickness or disability, total or partial, so long as the contingency insured against does not happen by design of the insured. 1922, c. 61, s. 12. *Part.*

**Application of Part V.** (3) Except where inconsistent with the provisions of this Part or with any statutory policy condition required to be inserted in contracts of accident and sickness insurance, the provisions of Part V relating to contracts of life insurance, except subsection 2 of section 122 and section 123 shall apply *mutatis mutandis* to contracts of accident and sickness insurance.

**Effect of delivery of policy or receipt for premium.** **178.**—(1) Where the contract of insurance has been delivered it shall be as binding on the insurer as if the premium had been paid, although it has not in fact been paid, and although delivered by an officer or agent of the insurer who had not authority to deliver it.

**Right of insurer in respect of unpaid premium.** (2) The insurer may sue for the unpaid premium and may deduct the same from the amount for which he may become liable under the contract.

**Where note or cheque for premium not paid.** (3) Where the premium is paid by a cheque or a promissory note and the cheque is not paid on presentation or the promissory note at maturity the contract shall at the option of the insurer be voidable. R.S.O. 1914, c. 183, s. 159.

**What accident includes.** **179.** In every contract of accident insurance, the event insured against shall include any bodily injury occasioned by external force or agency, and happening without the direct intent of the person injured, or as the indirect result of his intentional act, and no term, condition, stipulation, warranty or proviso of the contract, varying the obligation or liability

of the insurer shall, as against the insured, have any force or validity, but the contract may provide for the exclusion from the risks insured against of accidents arising from any hazard or class of hazard expressly stated in the policy.

**180.** The conditions set forth in this section shall be deemed, subject to the provisions of sections 181 to 185, to be part of every contract of accident and of sickness insurance in force in Ontario, and shall be printed on every policy hereafter issued under the heading "Statutory Conditions."

### *Statutory Conditions.*

1. This policy, including the endorsements and attached papers, if any, contains the entire contract of insurance except as it may be modified by the insurer's classification of risks and premium rates as provided by condition 3.

2. All statements made by the insured upon the application for this policy shall, in the absence of fraud, be deemed representations and not warranties, and no such statement shall be used in defense of a claim under this policy unless it is contained in the written application for the policy and unless a copy of the application, or such part thereof as is material to the contract, is endorsed upon or attached to the policy when issued.

3. If a *bodily injury or any sickness* insured against happens to the insured while engaged temporarily or permanently in an occupation classified as more hazardous than that stated herein to be the occupation of the insured, the liability under this policy shall be limited to such amount as the premium paid would have purchased for the more hazardous occupation according to the limits classification of risks, and premium rates of the insurer last filed with the Superintendent of Insurance; provided that the performance of ordinary duties about his residence or while engaged in recreation shall not be regarded as a change of occupation by the insured.

4. If the insured shall, at any time, change his occupation either temporarily or permanently to an occupation classified by the insurer as less hazardous than that stated in the policy to be the occupation of the insured, the insurer shall, upon written request of the insured and surrender of this policy, issue a policy for the unexpired term at the lower rate of premium applicable to such less hazardous occupation, and the insurer shall return to the insured the amount by which the unearned premium on the original policy exceeds the premium charge at such lower rate for the unexpired term.



Insurer not  
liable for  
sickness  
within first  
15 days.

5. Unless otherwise specifically stated in this policy, the insurer is not liable for any loss occasioned by sickness contracted by the insured within fifteen days from noon standard time of the day on which the policy comes into force.

Limited lia-  
bility where  
aggregate  
benefits  
exceed  
money value  
of the time of  
the insured.

6. If the *accident or sickness* benefits for loss of time secured hereunder, together with the *accident or sickness* benefits payable under other contracts of insurance upon the person of the insured, make up an aggregate indemnity in excess of the money value of the time of the insured, the insurer shall be liable only for such proportion of the benefits stated in this policy as the money value of the time of the insured bears to the aggregate of the benefits payable under all such contracts on the person of the insured, and the excess premium, if any, paid by the insured shall be returned to him by the insurer.

Notice to  
insurer.

7. Any written notice to the insurer may be delivered at or sent by registered post to the chief agency or head office of the insurer in the Province or delivered or sent to any authorized agent of the insurer therein.

Notice to  
insured.

8. Any written notice may be given to the insured by letter personally delivered to him or by registered letter addressed to him at his last post office address notified to the insurer, or where not notified and the address is not known, addressed to him at the agency, if any, at which the application was received.

Termination  
by insurer.

9. The insurance may be terminated by the insurer at any time by giving to the insured ten days' notice of cancellation by registered mail or five days' notice of cancellation personally delivered to the insured and refunding in either case the excess of paid premium beyond the *pro rata* premium for the expired time.

Termination  
by insured.

10. The insurance may be terminated by the insured at any time by giving written notice of termination to the insurer, in which case the insurer shall, upon surrender of this policy refund the excess of paid premium beyond the customary short rate for the expired time.

Repayment  
of excess  
premium.

11. In the case of termination of the insurance by the insurer, repayment of the excess premium may be made in money, by post office order, postal note or cheque, payable at par certified by a chartered bank doing business in the Province: If the notice is given by registered letter, such repayment shall accompany the notice and in such case the ten days mentioned in condition 9 shall commence to run from the day following the receipt of a registered letter at the post office to which it is addressed.



12. Any person entitled to make a claim under this policy shall: Notice of claim.

- (a) Give notice of claim in writing to the insurer not later than thirty days *from the date of the accident or from the date of the commencement of disability from sickness*; provided that failure to give notice shall not invalidate the claim if it is shown that it was not reasonably possible to give such notice within such time, and that notice was given as soon as was reasonably possible;
- (b) Furnish to the insurer such proof of claim as is reasonably possible in the circumstances of the happening of the *accident or sickness* and the loss occasioned thereby, *within ninety days after the happening of the accident, or, in the case of sickness, within ninety days after the date of termination of the period of disability from sickness for which the insurer is liable*; Proof of claim.
- (c) If so required by the insurer, furnish a certificate from a licensed medical practitioner as to the cause and nature of the *accident or sickness* for which the claim is made and as to duration of the disability caused thereby. Medical certificate.

13. The insurer shall, upon receiving notice of *accident or sickness*, furnish to the claimant such forms as are usually furnished by them for proofs of claim, and if such forms are not so furnished within fifteen days after receipt of such notice, the claimant shall be deemed to have complied with the requirements of the policy as to proof of claim, if he submits within the time fixed in this policy, for filing such proofs, a written statement of the happening and character of the *accident or sickness* and of the extent of the loss for which the claim was made. Insurer to furnish proof of claim.

14. The insurer shall have the right, and the claimant shall afford to the insurer an opportunity, to examine the person of the insured when and as often as it may reasonably require while the claim hereunder is pending and also in the case of death of the insured to make an autopsy subject to any law of the Province relating to autopsies. Right of examination, including right to make an autopsy.

15. Any claim made under this policy by a claimant other than the beneficiary named in the policy, shall be subject to proof of the interest of the claimant. Claimant other than beneficiary must prove interest.

Who may  
give notice  
and proofs  
of claim.

16. Notice of claim may be given and proofs of claim may be made by the agent of the insured, or of the beneficiary, in case of the absence of the insured or beneficiary or in case of inability of the insured or the beneficiary to give the notice or make the proof, such absence or inability being satisfactorily accounted for, or in the like case or if the insured refuses to do so by a person to whom any part of the insurance money is payable.

When  
moneys  
other than  
for disability  
payable.

17. All moneys payable under this policy for loss other than that of time on account of disability shall be paid within sixty days after the receipt of proofs of claim.

When  
indemnity  
on account  
of disability  
payable.

18. The indemnity for loss of time on account of disability shall be paid within thirty days after proof of claim and as long as the insurer remains liable for the disability at the expiration of every succeeding sixty days, provided that the insurer may, in case the disability continues, require proof thereof for each such period of sixty days, which proof shall be furnished within ninety days after the termination of each period in respect of which the claim is made.

Right of  
insured to  
assign  
policy.

19. Subject to the laws of the province in which this contract is made, the insured may, without the consent of the beneficiary, assign the policy and may, from time to time, change the beneficiary, or revoke the benefits thereof, or make it entirely payable to himself or to his estate, provided that if the beneficiary is a preferred beneficiary under the statutes of the province in which the contract is made, the rights of the insured and the beneficiaries hereunder shall be subject to such statutes.

Waiver.

20. The insurer shall not be deemed to have waived any condition of this policy either in whole or in part, unless the waiver is clearly expressed in writing, signed by the insurer.

Limitation  
of actions.

21. Any action or proceeding against the insurer for the recovery of any claim under this policy shall be commenced within one year after the cause of action arose. 1922, c. 61, s. 12. *Part.*

When cer-  
tain condi-  
tions may be  
omitted—  
policy not  
insuring  
against acci-  
dent.

**181.**—(1) If the policy does not insure against accident, the words of conditions numbers 3, 6, 12 and 13 relating to accident and printed in italics may be omitted from the policy.

Policy not  
insuring  
against  
sickness.

(2) If the policy does not insure against sickness, condition number 5, and also the words of conditions numbers 3, 6, 12 and 13, relating to sickness and printed in italics, may be omitted from the policy.

(3) If the policy provides that the contract may not be terminated by the insurer at any time, the conditions numbered 9, 10 and 11 may be omitted from the policy.

Policy not including right to terminate.

(4) If the perils insured against are so limited that conditions other than those enumerated in this section have no application to the contract, the insurer may, with the approval of the Superintendent, omit such conditions from the policy.

Conditions inapplicable to special cases.

(5) If an entire condition is omitted pursuant to this section, there shall be inserted after the condition number the following words within brackets ("*This condition is not applicable to this policy and is omitted pursuant to Statute*"). 1922, c. 61, s. 12. *Part.*

Note of omission of condition.

**182.** Where a policy of accident insurance is issued in the form of a ticket through the agency of a railway corporation, the statutory conditions set out in section 180 of this Part need not be printed on the ticket if such policy contains the following notice printed in conspicuous type: "This policy is issued subject to the statutory conditions respecting contracts of accident insurance contained in section 180 of *The Ontario Insurance Act, 1924.*" 1922, c. 61, s. 12. *Part.*

Ticket policy.

**183.** Where a policy of accident insurance, or a policy of sickness insurance, or a policy of accident and sickness insurance is issued by an insurer in combination with a contract of life insurance, the Superintendent may dispense with the printing of the statutory conditions set out in this Part and approve a composite form of policy appropriate to the nature of the contract.

Combination accident, sickness and life policy.

**184.** Where a contract provides that others than the parties thereto may participate in the benefits contracted for and provides for the issue of certificates or other evidence of participation to the beneficiaries, the Superintendent may dispense with the printing of the statutory conditions set out in this Part on such certificates or other evidence of participation if the same indicate in a manner satisfactory to the Superintendent that they are subject to the same provisions as the original contract.

Blanket policy.

**185.**—(1) If an insurer desires to vary, omit, or add to the statutory conditions or any of them except as provided in sections 181 and 184, there shall be printed in conspicuous type not less in size than ten point, and in red ink, immediately after such conditions, the proposed variations or additions or a reference to the omissions, with these introductory words:

Variations in conditions.

"*Variations in Conditions.*"

"This policy is issued on the above statutory conditions with the following variations, omissions and additions, which are, by virtue of *The Ontario*

*Insurance Act, 1924*, in force so far only as they shall be held to be just and reasonable to be exacted by the insurer."

Effect of variations.

(2) No variation, omission or addition except as provided in sections 181 and 184 shall be binding upon the insured unless the foregoing provisions of this section have been complied with, and any variation, omission or addition shall be so binding only in so far as it is held by the Court before which a question relating thereto is tried, to be just and reasonable.

Use of red ink.

**186.** No red ink shall be used on the face of a policy except the name, address and emblem of the insurer, and the policy number, and for the purposes mentioned in this Act.

Relief from forfeiture.

**187.** In any case where there has been imperfect compliance with a statutory condition as to the proof of loss to be given by the insured or as to any matter or thing to be done or omitted by the insured after the maturity of the contract, and a consequent forfeiture or avoidance of the insurance in whole or in part, and the Court deems it inequitable that the insurance should be forfeited or avoided on that ground, the Court may relieve against the forfeiture or avoidance on such terms as it may deem just. 1922, c. 61, s. 12. *Part.*

## PART VIII.

## LIVE STOCK INSURANCE.

**188.** This Part shall apply to live-stock insurance and to any insurer carrying on the business of live-stock insurance in the Province. Application of Part.

**189.** Every insurer licensed for the transaction of live-stock insurance may, within the limits and subject to the conditions prescribed by the license, insure against loss of live stock, by fire, lightning, accident, disease or other means, except that of design on the part of the insured, or by the invasion of an enemy or by insurrection. Property which may be insured.

**190.** The following provisions of Part IV of this Act shall apply to live-stock insurance contracts:— Application of provisions as to fire insurance.

- (a) The provisions as to the form and contents of the policy;
- (b) The provisions as to the conditions including the statutory conditions, except where inapplicable to the nature of the risk;
- (c) The provisions relating to premium notes and assessments other than sections 99, 100 and 108, when the insurance is on the premium-note plan

**191.—(1)** Contracts of insurance shall not in any case exceed the term of two years. Term of contract.

(2) A contract made for one year or any shorter period may be renewed from time to time at the discretion of the directors by renewal receipt instead of by policy, on the assured paying the required premium or giving his premium note; and all payments or renewal by cash or premium notes shall be made at or before the end of the period for which the policy was granted or renewed, otherwise the policy shall be void. Renewing policies.

(3) No premium note taken under any contract of insurance shall exceed forty per centum or be less than ten per centum per annum of the sum insured, and no renewal receipt shall extend the contract beyond two years from the date of the policy. R.S.O. 1914, c. 183, ss. 234-236. Premium note, limitation of amount.

## PART IX.

## WEATHER INSURANCE.

Applica-  
tion of  
Part.

**192.** This Part shall apply to weather insurance and to any insurer carrying on the business of weather insurance in the Province.

What may  
be insured.

**193.** Every insurer licensed for the transaction of weather insurance may, within the limit and subject to the conditions prescribed by the license, insure against such atmospheric disturbances, discharges or conditions as the contract of insurance shall specify.

Application  
of certain  
provisions  
as to fire  
insurance.

**194.**—(1) The following provisions of Part IV of this Act shall apply to weather insurance contracts:—

- (a) The provisions as to the form and contents of the policy;
- (b) The provisions as to conditions, including the statutory conditions, except where inapplicable to the nature of the risk;
- (c) The provisions relating to premium notes and assessments other than sections 99, 100 and 108, where the insurance is on the premium-note plan.

Additional  
conditions.

(2) The following additional conditions shall form part of every weather insurance contract:

Termina-  
tion.

(i) The insurance may be terminated by the insurer by giving seven days' notice to that effect.

Where  
buildings or  
structures  
have been  
weakened  
by altera-  
tions made  
without  
consent.

(ii) The insurer is not liable for loss or damage occurring to buildings or structures or to their respective contents where the buildings or structures have been weakened by subsequent alterations unless permission to make such alterations has been previously granted in writing signed by a duly authorized agent of the insurer.

Term of  
contract.

**195.** A contract of weather insurance shall not in any case exceed the term of three years. R.S.O. 1914, c. 183, ss. 239-240.

Fixed pay-  
ments on  
premium  
note.

**196.** On every premium note taken by the insurer there shall be payable at the commencement of each year of insurance a cash payment amounting to at least one-fifth of one per centum of the sum insured or *pro rata* when the cash payment is paid in advance for a longer term; and the premium note shall, as to the balance thereof, be subject to assessment by the directors; provided that when the amount of insurance in force exceeds \$3,000,000 and the total assets of the company do not fall below two per centum of the total amount at risk, the Superintendent may authorize the reduction of the cash payment to one-eighth of one per centum of the sum insured per annum, or *pro rata* for a longer term. R.S.O. 1914, c. 183, s. 241; 1918, c. 20, s. 34.

Assessment  
of the  
balance.

## PART X. •

## FRATERNAL SOCIETIES.

Interpre-  
tation.**197.** In this Part,

1. "Actuary" means a Fellow of the Actuarial Society of America, or of the Institute of Actuaries of Great Britain, or of the Faculty of Actuaries in Scotland, provided however, that an actuary who, for a period of not less than five years preceding the date of the passing of this Act, has been serving a licensed fraternal society transacting business in Ontario on the said date as its actuary, and who has been in active practice as an actuary for a period of not less than twenty-five years prior to the said date, may for the purpose of this Act, with the consent of the Superintendent, be continued as an actuary of any such society by which at the said date he is employed as actuary; "Actuary."
2. "Rates of Contribution" means the regular net premiums, dues, rates or contributions receivable from the members for the purpose of the payment at maturity of the society's certificates or contracts of insurance; 1921, c. 60, s. 3, *part.* "Rates of contribution."
3. "Society" means fraternal society. "Society."

**198.** This Part shall apply to all fraternal societies carrying on the business of life insurance in Ontario. Application of Part.

**199.** Fraternal societies required to be licensed under the provisions of this Act include the following: What fraternal society required to be licensed

- (a) A company, society, association or organization incorporated before the 10th day of March, 1890, under chapter 172 of The Revised Statutes of Ontario, 1887, or under any Act for which the said Act was substituted;
- (b) A society incorporated under the provisions of chapter 183 of The Revised Statutes of Ontario, 1914, which undertakes insurance against death or under any Act for which the said Act was substituted;
- (c) An association of the civil servants or employees of the Dominion of Canada incor-

porated

porated by or under the authority of an Act of the Parliament of Canada;

- (d) A fraternal society incorporated after the 1st day of January, 1924, under the provisions of *The Ontario Companies Act*.

Cases in which such societies not to be licensed.

**200.** No fraternal society shall be licensed:

- (a) If it undertakes insurance contracts with persons other than its own members; or
- (b) If it insures or indemnifies against contingencies other than sickness, disability, or death, or funeral expenses, or if the sum or sums insured on the life of any one person exceed in all \$5,000; or
- (c) If it undertakes endowment insurance other than old age insurance as authorized in section 224, or annuities upon lives; or
- (d) If it has upon its books less than seventy-five members in good standing; or
- (e) If it is in effect the property of its officers or collectors, or of any other person for his own benefit, or is conducted as a mercantile or business enterprise, or for the purpose of mercantile profit, or if its funds are under the control of persons or officers appointed for life and not under that of the insured; or
- (f) In the case of a fraternal society which has not been authorized to carry on business in Ontario before the passing of this Act, unless the society files with the Superintendent a declaration of its actuary in the form and to the effect required by the provisions of subsection 2 of section 213. *See R.S.O. 1914, c. 183, s. 73 (2); s. 76 (1) (d).*

Societies not deemed to be fraternal societies.

**201.** The following shall not be deemed fraternal societies within the meaning of this Part or required or entitled to be licensed as such:

- (a) Societies known as mutual benefit societies as defined in section 2 and subject to Part XI of this Act, including;

(i)



- (i) A society incorporated under the provisions of sections 36 to 41 of chapter 183 of The Revised Statutes of Ontario, 1914, or any Act for which the same was substituted which does not undertake contracts of life insurance;
  - (ii) A trade union in Ontario which, under the authority of its incorporating Act, or charter, has an insurance or benefit fund for the benefit of its own members exclusively;
  - (iii) A mutual benefit society incorporated after the 1st day of January, 1925, under the provisions of *The Ontario Companies Act*; R.S.O. 1914, c. 183, s. 72.
- (b) Pension fund and employees benefit societies incorporated under the provisions of *The Ontario Companies Act*;
- (c) A corporation not otherwise provided for in this Act which has by or under the authority of an Act of the Parliament of Canada created a fund for paying a gratuity on the happening of death, sickness, infirmity, casualty, accident, disability or any change of physical or mental condition;
- (d) A corporation not otherwise provided for in this Act which has by or under the authority of an Act of the Parliament of Canada an insurance and provident society or association, or an insurance or guarantee fund in connection with the corporation;
- (e) Any corporation having charge of, or managing, or distributing charity, or gratuities, or donations only;
- (f) A corporation which undertakes or offers to undertake contracts of insurance other than with its own members exclusively, or for more than \$5,000 in respect of any one member, or any contracts of insurance with its members other than

(i) Life insurance; or

(ii)

- (ii) Contracts for the payment of mortuary or funeral benefits; or
- (iii) Old age insurance;
- (g) A corporation in which the insurance fund is used for the purposes of a mercantile or business enterprise, or for mercantile profit, or a society formed on the lodge system, the insurance fund of which is held other than as a trust fund for the members insured;
- (h) A society in which the persons insured do not exercise, either directly or through representatives elected for a term not exceeding three years, effective control over the insurance fund of the society; or in which the officers or other persons having the disposition, control or possession of the insurance fund are elected or appointed for a longer period than three years;
- (i) Any corporation which undertakes contracts of insurance but is not formed exclusively for that purpose and which does not for the purposes of such contracts keep distinct and separate funds, securities, books and vouchers. R.S.O. 1914, c. 183, s. 76 (1) *part*.

Guarantee and endowment insurance.

**202.** Clause *c* of section 200 and clause *f* of section 201 shall not apply to contracts guaranteeing the fidelity of officers, servants or employees of the branches or subdivisions of the corporation, and shall not disentitle to license a fraternal society which before the 11th day of March, 1890, was *bona fide* transacting exclusively with its members endowment insurance in Ontario, and which has continued so to do up to the date of application for license. R.S.O. 1914, c. 183, s. 76 (2).

Central body for Ontario or representative may be dealt with.

**203.**—(1) Where two or more lodges or branches of a society, though separately incorporated, are under the financial or administrative control of a central governing body in Ontario, or a duly authorized provincial representative of the society, such governing body if incorporated or such provincial representative of the society, may, if the Superintendent thinks proper, be dealt with as the society.

When central body for Ontario incorporated.

(2) In the case of a fraternal society incorporated elsewhere than in Ontario the central governing or controlling body in Ontario if incorporated by virtue of the law of Ontario

may, if the Superintendent thinks proper, be dealt with as the society. R.S.O. 1914, c. 183, s. 74.

**204.**—(1) Every fraternal society shall with its application for license file in the office of the Superintendent, duly certified copies in duplicate of those articles or provisions of the subsisting constitution, by-laws or rules which contain material terms not set out in the instrument of contract adopted by the society, and shall from time to time file in the office of the Superintendent duly certified copies in duplicate of every amendment, revision or consolidation of the said articles or provisions of the constitution, by-laws and rules, within thirty days after the passing or adoption of such amendment, revision or consolidation thereof.

By-laws and rules to be filed with Superintendent.

(2) The Superintendent may within thirty days after the date of such filing take exception to any amendment or revision or any part thereof if, in his opinion, such amendment or revision or any part thereof is (i) contrary to the provisions of this Act, or (ii) actuarially unsound, or (iii) oppressive to or discriminatory in application against any class of the membership of the society, or (iv) unjust or unreasonable.

Superintendent may take exception within 30 days.

(3) If the Superintendent takes exception to any such amendment or revision or any part thereof, in accordance with the provisions of this section, he shall forthwith notify the society thereof in writing and the reasons therefor.

Notice.

(4) The society or any person who deems himself aggrieved by the decision of the Superintendent may appeal therefrom in the manner provided by section 13.

Appeal.

(5) The original constitution, by-laws and rules and any amendment, revision or consolidation thereof, to which the Superintendent does not take exception, or which after the Superintendent has taken exception to any amendment or revision or any part thereof have been further amended, in accordance with the Superintendent's direction, or which after the Superintendent has taken exception to any amendment or revision or any part thereof has been approved and confirmed on appeal from the Superintendent as herein provided, shall be certified by the Superintendent to be duly passed by the society as filed and a copy thereof so certified by the Superintendent shall be filed by him in the office of the Provincial Registrar.

Certified by-laws and rules to be filed with Provincial Registrar.

(6) The constitution, by-laws or rules and any amendment, revision or consolidation thereof so certified shall, notwithstanding the declaration or other instrument filed under any general or special Act, be deemed to be the rules in force on

By-laws and rules as filed to be binding on Society.

and

and after the date of the certificate until a subsequent amendment, revision or consolidation is in like manner certified and filed and so from time to time, and shall be binding and obligatory upon all members of the society and upon all their beneficiaries and legal representatives and upon everyone entitled to any benefit under any certificate of the society, provided that the failure of the Superintendent to take exception to any rule of the society or amendment or revision thereof and his certifying and filing of the same shall not make valid any provision of such rule which is inconsistent with the provisions of this Act.

Effect of section.

(7) The provisions of this section shall not apply to the constitution, by-laws and rules of a society or any amendment, revision or consolidation thereof passed and adopted by the society prior to the passing of this Act. *See* R.S.O. 1914, c. 183, s. 184.

When rules must be amended.

**205.** Where, because of a provision in any of its rules, a society otherwise entitled to be licensed ought not, in the opinion of the Superintendent, to be licensed it shall not be entitled to a license until it has repealed or amended such rules in accordance with the direction of the Superintendent. R.S.O., 1914, c. 183, s. 77.

Rules deliverable on demand.

**206.**—(1) A copy of all rules of a society relating to its insurance contracts and to the management and application of its insurance funds shall be delivered by the society to any person requiring the same on payment of twenty-five cents.

Fraudulent delivery.

(2) If an officer or agent of a society, with intent to mislead or defraud, gives to any person a copy of rules other than the rules then in force on the pretence that the same are the rules then in force, he shall be guilty of an offence. R.S.O., 1914, c. 183, s. 184. *Part.*

Substitution of instalments for gross payment.

**207.**—(1) Where by the constitution and rules of a society provision is made for the payment of an ascertained or ascertainable sum to a member of the society in the event of his becoming totally disabled, or of his reaching a stated age, or upon the concurrence of both events, whether such provision is combined with other life insurance or not, such society may with the approval of the Superintendent so amend its constitution and rules as to provide for the payment of such sum in equal consecutive annual instalments without interest, the payment of such instalments to be completed within a period not exceeding ten years from the happening of the event, but no person who has become entitled, or may become so entitled as aforesaid, to any such annual instalment shall receive payment of the same unless at the maturity of each instalment

such

such person has continued to be a member of the society and has paid all dues and assessments adopted by the society.

(2) All such amendments which have heretofore been or which may hereafter be made by any society pursuant to the provisions of the constitution and rules shall be valid and binding upon all its members and upon all their beneficiaries and legal personal representatives and upon every one entitled, notwithstanding anything to the contrary in the instrument of incorporation of the society or the previous provisions of its constitution and rules.

Amendments of rules to that intent validated.

(3) If a member of such society dies after becoming totally disabled or reaching the stated age, but before the payment of all instalments, the instalments unpaid shall form part of the insurance money or benefits payable upon the death of such member.

When insured dies before receiving all instalments.

(4) No unmatured policy or contract of insurance shall create any claim or liability against the society while a going society, or against the estate of the society in a winding up or liquidation, but in a winding up or liquidation the insured or beneficiary for value under such unmatured policy or contract shall be entitled to share in the surplus assets of the society. R.S.O., 1914, c. 183, s. 185.

Unmatured policies as liabilities.

**208.**—(1) The liabilities of a member under his contract shall at any date be limited to the assessments, fees and dues which became payable within the preceding twelve months and of which at such date notice had been given in accordance with the constitution and rules of the society.

Limitation of member's liability in fraternal society.

(2) A member may at any time withdraw from the society by delivering or sending by registered post to the society notice in writing of his intention to withdraw and paying or tendering the assessments, fees and dues mentioned in subsection 1.

Withdrawal of member.

(3) After such withdrawal the member shall become thereby released from all further liability under his contract.

Release from liability.

(4) This section shall be subject to the provisions of any rules to the contrary certified by the Superintendent and filed with the Provincial Registrar as hereinbefore provided. R.S.O., 1914, c. 183, s. 187.

Subject to rules.

**209.**—(1) No forfeiture or suspension shall be incurred by reason of any default in paying any contribution or assessment, except such as are payable in fixed sums and at fixed dates, until after notice to the member stating the amount due

Notice before forfeiture of benefit.

by him, and that in case of default of payment within a reasonable time, not less than thirty days, to the proper officer, who shall be named in such notice, his interest or benefit will be forfeited or suspended, and default has been made by him in paying his contributions or assessment in accordance with such notice.

"Fixed dates."

(2) "Fixed dates" in subsection 1 shall include any numbered day, or any Monday, Tuesday, or as the case may be, numbered, alternate or recurring, of a stated month or months.

Saving rights to re-instatement.

(3) Where under the constitution or rules or by-laws of the society a defaulting member is entitled to be reinstated on payment of arrears, after a stated number of days' default, this section shall not prejudice the rights of such member. R.S.O., 1914, c. 183, s. 188.

Conditions of forfeiture restricted.

**210.**—(1) Where it is stipulated that the benefit of the contract shall be suspended or reduced or forfeited for any other reason than for non-payment of money such condition shall not be valid unless it is held to be just and reasonable under the circumstances of the case.

Condition as to abstinence.

(2) In any contract of which total abstinence from intoxicating liquors is made an express condition such condition shall be deemed to be just and reasonable. R.S.O., 1914, c. 183, s. 189.

How notice may be given to members.

**211.** Any notice required to be given to a member for any purpose of this Act or of the rules of the society may be effectually given if written or printed notice is delivered, or is sent by registered post to the member, or is left at his last known place of abode or of business. R.S.O., 1914, c. 183, s. 190.

Head Offices of Ontario Societies.

**212.** A society incorporated under any Act of this Legislature shall not be entitled to a license unless its head office is located and maintained in Ontario and the secretary and treasurer are *bona fide* residents in Ontario. R.S.O., 1914, c. 183, s. 78.

Societies to file actuarial report annually.

**213.**—(1) In addition to the annual statement required to be filed under this Act, each society shall file with the Superintendent not later than the 1st day of May in each year a valuation of its certificates or contracts of insurance in force at the last preceding 31st day of December, which valuation shall have regard to the prospective liabilities of the society under its certificates or contracts of insurance and to the rates of contribution to be thereafter received from its members on such certificates

according

according to the rates in force at the date of valuation, and shall be made and certified by an actuary appointed by the society and shall include a valuation balance sheet in such form and detail as the Superintendent may from time to time prescribe.

(2) Where in the opinion of the actuary appointed by the society the valuation balance sheet shows that the society is in a position to provide for the payment of its contracts of insurance as they mature, without deduction or abatement and without increase in its existing rates of contribution, the society shall file with the Superintendent a declaration of the actuary to that effect.

Society to file declaration of actuary, under what circumstances.

(3) A summary of the valuation certified by the actuary and a statement as to the financial condition of the society disclosed by such valuation shall be mailed to each insured member not later than the 1st day of June in each year or in lieu thereof such certified summary of the valuation and statement of the actuary may be published in the society's official paper and a copy mailed to each insured member.

Distribution of summary and statement to members.

**214.**—(1) If it appears to the Superintendent from the statement and reports filed with him or from an examination or valuation made in pursuance of this Act, that the assets of a licensed fraternal society applicable to the payment of its insurance contracts are insufficient to provide for the payment of its contracts of insurance at maturity without deduction or abatement and without increase in its existing rates of contribution, he shall make a special report to the Minister as to the financial condition of the society.

Where assets of society insufficient, Superintendent to report to Minister.

(2) If the Minister, after consideration of the said report concurs in the opinion of the Superintendent, the Minister shall request the society to make, within such time as he may prescribe, but not exceeding four years, such increase in its rates of contribution or such reduction in the benefits payable under its contracts of insurance or otherwise, as will enable the society to provide for the payment of its contracts of insurance at maturity.

Minister may request society to increase its rates, etc.

(3) On receipt of such request the society shall take the steps prescribed by its laws or constitution for putting into effect such changes as may be approved by the actuary appointed by the society for the purpose aforesaid.

Society to act upon request.

(4) Where in the opinion of the governing executive authority of the society a special meeting of the society is desirable for the purpose of considering the request of the Minister, the said governing executive authority of the society may call a

Special meeting to consider request of Minister.



special meeting of the supreme legislative body of the society upon such notice as the said governing executive authority may deem reasonable, and as the Superintendent may approve and such meeting so called shall be deemed to have been regularly constituted notwithstanding any provisions contained in the constitution and laws of the society.

Reduction of benefits, or increase of rates.

**215.** A fraternal society incorporated under the laws of Ontario may by amendment of its constitution and laws reduce the benefits payable under its contracts of insurance or some of them, or increase the rates of contribution payable by its members as a whole or some class or classes thereof, or make such other changes as are necessary to comply with the aforesaid request of the Minister and such amendments when adopted by a majority of the votes duly cast by the members of the supreme legislative body of the society at a regular or special meeting of the said supreme legislative body of the society duly called shall be binding upon the members of the society and upon their beneficiaries or legal representatives and upon all persons deriving legal rights from any member or beneficiary, notwithstanding anything contained in the provisions of its constitution and laws before such amendments, or in its act or instrument of incorporation, or in any contract, policy or certificate of insurance heretofore or hereafter issued by the society.

Default of society in complying with request of Minister.

**216.**—(1) Where any society does not within the time allowed comply with the request of the Minister as prescribed by subsection 2 of section 214 the Superintendent shall report the default to the Minister, who shall thereupon appoint a readjustment committee of three persons of whom at least one shall be an actuary who shall at as early a date as practicable investigate the assets, liabilities, rates of contribution and plans of insurance of such society and prepare a report containing such amendments to such society's constitution and laws reducing the benefits payable under its contracts of insurance or some of them or increasing the rates of contribution payable by its members as a whole or some class or classes thereof, or such other amendments as said readjustment committee deem necessary in order to provide for the payment of all the contracts of insurance of such society as they mature, in accordance with said amendments.

Amendments in report of readjustment committee to become part of constitution and laws of society.

(2) The said readjustment committee shall file such report in the office of the Superintendent and deliver to the society a certified copy thereof and immediately upon such report being filed with the Superintendent the amendments contained therein shall be and become part of the constitution and laws of such society and shall be valid and binding upon all its members and upon their beneficiaries or legal personal repre-

sentatives



sentatives and upon all persons deriving legal rights from any member or beneficiary notwithstanding anything contained in the provisions of its constitution and laws before such amendments or in its act or instrument of incorporation or in any policy or certificate of insurance issued by such society.

(3) The said readjustment committee shall in the said amendments fix a date not more than six months after the date of filing of the report when the reduction of benefits or increase in the rate of contribution provided for by such amendments shall be in full force and effect. Date to be fixed in report.

(4) Such society shall bear the expense of the investigation and report and furnish the readjustment committee with required information. Expenses.

**217.**—(1) Where a society which is unable to furnish the declaration of an actuary prescribed in subsection 2 of section 213 has heretofore adopted or shall hereafter adopt new rates of contribution which in the opinion of the actuary appointed by the society, filed with the Superintendent, make reasonable provision for the payment in full at maturity of the contracts of insurance issued to its members who have entered or shall enter the society upon such new rates of contribution, such society shall, after the payment of the matured contracts of such members, create and from time to time maintain out of the rates of contributions of such members and interest accretions thereto, a reserve fund not less than the amount which, with the rates of contributions to be collected from such members, is, in the opinion of the actuary, required to pay in full such contracts of insurance as they mature, and such fund shall be a separate fund of the society and shall not be liable for payment of the debts and obligations of the society under its contracts of insurance with those members who have not contributed to the funds of the society under said new rates of contribution or under the provisions contained in subsection 2 of this section. Where society unable to furnish declaration of actuary.

(2) The society may provide in its constitution and laws for the issue of new certificates to members admitted to the society prior to the establishment of such fund upon such terms and conditions as will in the opinion of the actuary appointed by the society certified in writing to the Superintendent enable the society to pay in full the contracts of insurance issued to such members as they mature and the provisions of subsection 1 of this section shall apply to such new certificates. New certificates may be issued.

(3) The annual valuation of the actuary of the society maintaining a separate fund as hereinbefore prescribed shall of annual valuation of actuary, what to show.

show

show clearly and separately and in such detail as the Superintendent may require, the financial position of the society in respect of the certificates of insurance included, and those not included, within the scope of the separate fund.

Merger  
of funds.

(4) When a society which has been maintaining a separate fund for new members in accordance with the provisions of this section files with the Superintendent a declaration of the actuary appointed by the society in accordance with the provisions of subsection 2 of section 213, the separate fund may, with the approval of the Superintendent, be merged with the other funds of the society of a kindred nature.

Maintenance  
of common  
expense fund.

(5) Nothing herein contained shall prevent a society which maintains a separate fund as hereinbefore described, from maintaining a common expense fund.

Life insur-  
ance of  
children.

**218.** Where a society is authorized by its constitution and laws and undertakes in Ontario to insure the lives of children the rates of contribution for such child insurance shall be approved by an actuary and the society shall maintain out of the rates paid upon contracts of child insurance and interest accretions thereto, a separate fund for the payment at maturity of such contracts, and the actuary appointed by the society to value its contracts of insurance shall make a separate valuation of the outstanding child insurance contracts, and shall show the amount of the fund held for such contracts.

Society may  
limit period  
to twenty  
years, under  
what cir-  
cumstances.

**219.** A society which files with the Superintendent the declaration prescribed by subsection 2 of section 213 or a society that is maintaining a separate fund for its contracts of insurance as prescribed by section 217 may provide in its constitution and laws for the issue of contracts of life insurance wherein the regular rates of contributions payable thereunder may be limited to a period of twenty or more years, provided such rates of contribution have been approved by an actuary and provided further that such certificates of insurance shall be subject to the provisions of subsection 1 of section 217, but such limitation of payments shall not affect the right of the society to make an assessment or assessments in respect of such certificates in accordance with the constitution and laws of the society either during or after the period of such limited payments.

Provide.

Epidemic or  
unforeseen  
contingency.

**220.** In event of an epidemic or other unforeseen contingency impairing the funds of a society the governing executive authority of the society may impose a special assessment or special assessments upon the members of the society or upon such class or classes thereof and with such incidence as in the opinion of the governing executive author-

ity is deemed necessary and equitable, and such special assessment or assessments shall be binding on the members of the society notwithstanding anything to the contrary in its act or instrument of incorporation or its constitution and laws, or in any certificate of insurance heretofore or hereafter issued by the society.

**221.** The governing executive authority of a society may make such additional levies from time to time upon all members of the society as shall be necessary, in the opinion of the governing executive authority, to properly carry on the work of the society and prevent any deficit in its general or expense fund, and such additional levies shall be binding on the members of the society notwithstanding anything to the contrary in its Act or instrument of incorporation, or in its constitution or laws, or in any certificate of insurance heretofore or hereafter issued by the society.

**222.** A society whose valuation balance sheet prescribed by subsection 1 of section 213 shows a surplus of assets of more than five per centum over and above all net liabilities may apply such portion of such surplus as may be approved by the actuary appointed by the society, in the manner prescribed by the constitution and laws of the society.

**223.** Every licensed fraternal society shall, before putting into effect any new or additional benefits or any new scale of rates of contribution under certificates of insurance, file with the Superintendent a certificate of an actuary approving of such benefits or rates of contribution. 1921, c. 60, s. 3. *Amended.*

**224.** Notwithstanding anything in this Act a fraternal society licensed under this Act which files with the Superintendent a declaration of an actuary as provided by subsection 2 of section 213 hereof may, if its constitution so provides and subject thereto, issue to its members old age insurance contracts providing for the payment of the money due on maturity thereof either at death or upon the insured attaining the age of sixty-five years or more, and such contracts may provide for such surrender values or other equities as may be approved by the actuary of the society and authorized by its constitution. 1922, c. 61, s. 4.

## PART XI.

## MUTUAL BENEFIT SOCIETIES.

What  
societies  
required to  
be licensed.

**225.** Mutual benefit societies required to be licensed under the provisions of this Act include the following:

- (a) A society incorporated under the provisions of sections 36 to 41 of chapter 183 of the Revised Statutes of Ontario, 1914, or any Act for which the same was substituted, which does not undertake contracts of life insurance;
- (b) A trade union in Ontario which, under the authority of its incorporating Act or charter has an assurance or benefit fund for the benefit of its own members exclusively;
- (c) A mutual benefit society incorporated after the 1st day of January, 1925, under the provisions of *The Ontario Companies Act*.

What  
societies  
may not be  
licensed.

**226.** No mutual benefit society shall be licensed, or have its license renewed,

- (a) If it has upon its books less than 75 members in good standing;
- (b) If it insures or indemnifies against contingencies other than sickness, disability or funeral expenses;
- (c) If it contracts for sick benefits for an amount in excess of twelve dollars per week or for a funeral benefit in excess of two hundred dollars;
- (d) If it undertakes insurance contracts with persons other than its own members;
- (e) If it is in effect the property of its officers or collectors, or of any other person for his own benefit, or is conducted as a mercantile or business enterprise, or for the purpose of mercantile profit, or if its funds are under the control of persons or officers appointed for life and not under that of the insured;
- (f) If it has charge of, or manages or distributes charity or gratuities or donations only.

Application  
of certain  
sections of  
Part X.

**227.** The provisions of sections 203, 204 and 205 of this Act shall apply *mutatis mutandis* to societies licensed under this Part.

## PART XII.

## RECIPROCAL OR INTER-INSURANCE EXCHANGES.

**228.** In this Part, unless the context otherwise requires: Interpretation.

- (a) "Attorney" shall mean a person authorized to "Attorney." act for subscribers as provided in section 231;
- (b) "Subscribers" shall mean persons exchanging "Subscribers." with each other reciprocal contracts of indemnity or inter-insurance as provided in section 229.

**229.** It shall be lawful for any person to exchange with other Authority for exchange of reciprocal contracts of insurance. persons in Ontario and elsewhere reciprocal contracts of indemnity or inter-insurance for any class of insurance for which an insurance company may be licensed under the provisions of this Act except life insurance, accident insurance, sickness insurance and guarantee insurance.

**230.** No person shall be deemed to be an insurer within the meaning of this Act by reason of exchanging with other Subscriber not to be deemed an insurer. persons reciprocal contracts of indemnity or inter-insurance under the provisions of this Act.

**231.**—(1) Reciprocal contracts of indemnity or inter-insurance may be executed on behalf of subscribers by any other Execution of contract. person acting as attorney under a power of attorney, a copy of which has been duly filed as hereinafter provided.

(2) Notwithstanding any condition or stipulation of any such power of attorney or of any such contract of indemnity or inter-insurance, any action or proceeding in respect of any such contract may be maintained in any court of competent jurisdiction in Ontario. Who may maintain action on contract.

**232.** The persons constituting the exchange shall, through Declaration by members of exchanges. their attorney, file with the Superintendent a declaration verified by oath, setting forth:

- (a) The name of the attorney and the name or designation under which such contracts are issued, which name or designation shall not be so similar to any other name or designation previously adopted by any exchange or by any licensed insurer as in the opinion of the Superintendent to be likely to result in confusion or deception;

(b)

- (b) The classes of insurance to be effected or exchanged under such contracts;
- (c) A copy of the form of the contract, agreement or policy under or by which such reciprocal contracts of indemnity or inter-insurance are to be effected or exchanged;
- (d) A copy of the form of power of attorney under which such contracts are to be effected or exchanged;
- (e) The location of the office from which such contracts are to be issued;
- (f) A financial statement in the form prescribed by the Superintendent;
- (g) Evidence satisfactory to the Superintendent that it is the practice of the exchange to require its subscribers to maintain in the hands of the attorney, as a condition of membership in the exchange, a premium deposit reasonably sufficient for the risk assumed by the exchange;
- (h) Evidence satisfactory to the Superintendent that the management of the affairs of the exchange is subject to the supervision of an advisory board or committee of the subscribers in accordance with the terms of the power of attorney.

Form of  
license.

**233.**—(1) Upon an exchange complying with the provisions of this Part the Superintendent may issue a license in accordance with the form in Schedule "C" hereto.

License  
fee.

(2) Until otherwise prescribed by the Lieutenant-Governor in Council, every licensed exchange shall, at the time of the issue of its license or renewal thereof, pay an annual license fee of one hundred dollars.

Evidence  
required  
before issue  
of license  
for;

**234.** A license shall not be issued to an exchange to effect or exchange contracts of indemnity or inter-insurance,—

Fire  
insurance.

- (a) Against loss by fire, until evidence satisfactory to the Superintendent has been filed with him that applications have been made for indemnity upon at least seventy-five separate risks in Ontario or elsewhere aggregating not

less than one and one-half million dollars as represented by executed contracts or *bona fide* applications to become concurrently effective;

- (b) In respect of automobiles, until evidence <sup>Automobile insurance.</sup> satisfactory to the Superintendent has been filed with him that applications have been made for indemnity upon at least five hundred automobiles as represented by executed contracts or *bona fide* applications to become concurrently effective, and that arrangements satisfactory to the Superintendent are in effect for the re-insurance of all liabilities in excess of such limits as the Superintendent may prescribe.

**235.** Where the office from which such contracts are to be <sup>Service of process.</sup> issued is not in Ontario, service upon the Superintendent of notice or process in any action or proceeding in Ontario in respect of contract of indemnity or inter-insurance effected by the exchange, shall be deemed service upon the subscribers who are members of the exchange at the time of such service.

**236.** There shall be filed with the Superintendent by the <sup>Statement of maximum indemnity</sup> Attorney, as often as the Superintendent may require, a statement of the attorney under oath showing, in the case of fire insurance, the maximum amount of indemnity upon any single risk and a statement of the attorney verified by oath to the effect that he has examined the commercial rating of the subscribers of the exchange as shown by the reference book of a commercial agency having at least five hundred subscribers and that from such examination or other information in his possession it appears that no subscriber has assumed on any single fire insurance risk, an amount greater than ten per centum of the net worth of such subscriber.

**237.**—(1) There shall at all times be maintained with <sup>Amount of reserve.</sup> such attorney, as a reserve fund, a sum in cash or approved securities equal to fifty per centum of the annual deposits or advance premiums collected or credited to the accounts of subscribers on contracts in force having one year or less to run, and *pro rata* on those for longer periods.

(2) Except as hereinafter provided, there shall also be <sup>Guarantee fund.</sup> maintained as a guarantee fund or surplus, an additional sum, in excess of all liabilities, in cash or approved securities amounting to not less than fifty thousand dollars.

Guarantee fund of domestic fire insurance exchange.

(3) In the case of a fire insurance exchange whose principal office is in Ontario, the guarantee fund or surplus referred to in subsection 2 shall not be less than twenty-five thousand dollars.

Guarantee fund of domestic automobile insurance exchange.

(4) In the case of an automobile insurance exchange whose principal office is in Ontario, the guarantee fund or surplus referred to in subsection 2 shall, during the first year of operation of the exchange, be maintained at an amount not less than ten thousand dollars, and thereafter not less than twenty-five thousand dollars.

Deficiency.

(5) If at any time the amounts on hand are less than the foregoing requirements the subscribers or the attorney shall forthwith make up the deficiency.

Use of funds supplied to make up deficiency.

(6) Where funds other than those which accrued from premiums or deposits of subscribers are supplied to make up a deficiency as herein provided for, such funds shall be deposited and held for the benefit of subscribers under such terms and conditions as the Superintendent may require so long as a deficiency exists and may thereafter be returned to the depositor.

"Approved securities."

(7) In this section "approved securities" means securities the investment in which is authorized by the provisions of section 238 hereof.

Investment of surplus funds and reserve.

**238.**—(1) If the principal office of the exchange is in Ontario, the surplus insurance funds and the reserve fund of the exchange shall be invested in the class of securities authorized by *The Ontario Companies Act* for the investment of the reserve funds of a joint stock insurance company incorporated thereunder.

Evidence as to investments.

(2) If the principal office of the exchange is outside Ontario it shall be a condition precedent to the issue of a license under this Act that evidence satisfactory to the Superintendent shall be filed with him showing that the class of security in which funds of the exchange are required by law to be invested, and are in fact invested, is within the limits of investment prescribed for the investment of the reserve funds of an insurance corporation by the jurisdiction in which the office of the exchange is situate.

Contracts must be on behalf of subscribers only.

**239.**—(1) No exchange shall undertake any liability on a contract of indemnity, inter-insurance or insurance except on behalf of a subscriber.



(2) No attorney or exchange shall effect re-insurance of any risks undertaken by the exchange in any other reciprocal or inter-insurance exchange. Re-insurance in another exchange.

**240.**—(1) No person shall act as attorney, or for or on behalf of any attorney, in the exchange of reciprocal contracts of indemnity or inter-insurance, or in acts or transactions in connection therewith, unless and until a license has been issued and unless such license is in force. Attorney not to act until license granted.

(2) Any person who, in contravention of subsection 1, undertakes or effects or agrees or offers to undertake or effect any exchange of reciprocal contracts of indemnity or inter-insurance or any act or transaction in connection therewith shall incur a penalty of not less than fifty dollars or more than five hundred dollars recoverable under *The Ontario Summary Convictions Act*. Penalty. Rev. Stat. c. 90.

**241.**—(1) Where a licensed exchange or attorney fails or refuses to comply with or contravenes any provision of this Act, the license of the exchange may be suspended or revoked by the Minister on the report of the Superintendent after due notice and opportunity for a hearing before the Superintendent has been given to the exchange or its attorney, but such suspension or revocation shall not affect the validity of any reciprocal contracts of indemnity or inter-insurance effected prior thereto or the rights and obligations of subscribers under such contracts. Suspension or revocation of license.

(2) Notice of such suspension or revocation shall be given by the Superintendent in at least two successive issues of the *Ontario Gazette* as soon as reasonably may be after such suspension or revocation. Notice.

**242.** The attorney shall, on or before the 1st day of March in each year, pay to the Treasurer of Ontario for the use of the Province, an annual tax equal to two per centum of the gross premiums or deposits collected from subscribers in respect of risks located in Ontario during the preceding calendar year after deducting returns for cancellations, considerations for re-insurances with licensed insurers and all amounts returned to subscribers or credited to their accounts as savings during such year. Annual tax.

**243.** Notwithstanding anything in this Act any person may insure against fire any property situated in Ontario in any exchange not licensed under this Act, and any property so insured or to be insured may be inspected and any loss incurred in respect thereof adjusted, provided such insurance is effected outside of Ontario and without any solicitation in Ontario directly or indirectly on the part of the insurer. 1922, c. 62. Fire insurance in unlicensed exchanges may be effected outside of Ontario.

## PART XIII.

## AGENTS, BROKERS AND ADJUSTERS.

*Licenses of Insurance Agents.*Licensing  
agent.

**244.**—(1) The Superintendent may issue to any person who has complied with the requirements of this Act a license authorizing such person to carry on business as an insurance agent subject to the provisions of this Act and to the terms of the license.

Classifica-  
tion.

(2) Licenses so issued shall be of two classes:

(a) Licenses for life insurance, or life and accident insurance, or life and accident and sickness insurance;

(b) Licenses for any classes of insurance other than life insurance.

Issue of  
license.

(3) Upon written notice to the Superintendent that a licensed insurer has appointed a person to act as his agent in Ontario and upon due application of such person and payment by him of a fee of three dollars, the Superintendent shall, if he is satisfied that the applicant is a suitable person to receive a license and intends to hold himself out publicly and carry on business in good faith as an insurance agent, issue to the applicant a license which shall state in substance that the holder is, during the term of the license, authorized to carry on within Ontario the business of an insurance agent.

Notice of  
appointment  
of agent.

(4) Such notice of appointment by an insurer shall be upon a form furnished by the Superintendent and shall state that the appointee has been authorized in writing by the insurer to act as agent in the soliciting of and negotiating for insurance and shall be accompanied by a sworn statement of the appointee on a form furnished by the Superintendent which shall give the name, age, residence and present occupation of the applicant and his occupation for the five years next preceding the date of the notice and particulars of any other employment in which he may be engaged and such other information as the Superintendent may require.

Limitations  
of license.

(5) Where the applicant is the appointee of an insurer carrying on in Ontario the business of life insurance, or life and accident insurance, or life and accident and sickness insurance, the license shall expressly limit the authorization

of the agent to the class of insurance for which the insurer is licensed; and when the applicant is the appointee of an insurer carrying on in Ontario any class or classes of insurance business other than life insurance, the license shall expressly exclude the business of life insurance, but nothing herein shall prevent the issue to the same applicant of two licenses including all classes of insurance if due application has been made for two licenses.

(6) Where the agency, upon notice of which a license is issued, is terminated, notice in writing shall forthwith be given by the insurer to the Superintendent of such termination, with the reason therefor, and thereupon the license shall be *ipso facto* suspended, but such license may be revived subject to the approval of the Superintendent upon filing of notice of a new agency appointment and upon payment of a fee of one dollar.

Notice of termination of agency, suspension and revivor.

(7) An insurer who fails to notify the Superintendent within thirty days of the termination of an agency appointment as required by the preceding subsection shall be guilty of an offence.

Failure to give notice.

(8) A license issued under this section may be revoked by the Superintendent if, after due investigation and a hearing, he determines that the holder of such license (a) has violated any provision of this Act by any act or thing done in respect to insurance for which such license is required; or (b) has made a material mis-statement in the application for such license; or (c) has been guilty of a fraudulent practice; or (d) has demonstrated his incompetency or untrustworthiness to transact the insurance agency business for which such license has been granted, by reason of anything done or omitted in or about such business under the authority of such license.

Revocation

(9) In determining the granting or refusal of an application for a license or renewal of license, or the cancellation of any existing license, the Superintendent may, and shall when so requested in writing by the applicant or licensee, nominate an advisory board before which the hearing provided for in the preceding subsection shall be had, on which board there shall be a representative of insurers and a representative of agents, and a representative of the Superintendent, and the decision of the Superintendent rendered after the hearing and on the advice of such board shall be final and binding upon all parties concerned and shall not be subject to appeal.

Advisory board to report on complaint.

(10) A license issued hereunder shall expire on the 30th day of September next after its issue unless automatically revoked by notice pursuant to subsection 4 hereof or unless

Term of license.

Renewal.      revoked or suspended by the Superintendent; but such license may, in the discretion of the Superintendent, be renewed for a succeeding year upon due application upon a form prescribed by the Superintendent giving such information as he may require, accompanied by a certificate of agency appointment of a licensed insurer and payment of a fee of three dollars without requiring anew the detailed information hereinbefore specified.

Authority of agents.      (11) The holder of a license under this section as agent for insurance other than life insurance may, during the term and validity of his license, act as agent for any licensed insurer within the limits prescribed by his license and may act as an insurance broker in dealing with licensed insurers without other or additional license.

Licenses not required, under what circumstances.      (12) A collector of insurance premiums who does not solicit application for or the renewal or continuance of insurance contracts or act or aid in negotiating such contracts or the renewal thereof, may carry on such business without a license therefor, provided that the collection fee does not exceed five per centum of any amount collected.

Collectors.

Members of fraternal societies and mutuals.      (13) A member of a duly licensed fraternal society or mutual fire insurance corporation may, without a license, solicit persons to become members of such society or corporation.

Salaried officials, etc.      (14) A salaried employee who does not receive commissions or an officer of a licensed insurer, or an attorney, or salaried employee of a reciprocal or inter-insurance exchange at which no commission is paid except to such attorney, or an employee of a licensed agent or broker who does not receive commissions and who acts only in the name and on behalf of such licensed agent or broker may, without a license, act for such insurer, exchange, agent or broker in the negotiation of any contracts of insurance or in the negotiation of the continuance or renewal of any contracts which the insurer, exchange, agent or broker may lawfully undertake; provided that in the case of insurers authorized to undertake life insurance, only the officers and salaried employees of the head office who do not receive commissions may so act without a license.

Penalty where not licensed.      (15) Every person who assumes to act as an agent without the license required by this section, or while his license as such is suspended, shall be guilty of an offence.

*Licenses of Insurance Brokers.*

**245.**—(1) The Superintendent may, upon the payment of a fee of ten dollars, issue to any suitable person resident in Canada a license to act in Ontario as an insurance broker to negotiate, continue or renew contracts of insurance other than life insurance or to place risks or effect insurance with any duly licensed insurer or its agent.

(2) The applicant for such license shall file with the Superintendent a written application under oath upon a form provided by the Superintendent in which the applicant shall state his name, age, residence and occupation at the time of making the application, his occupation for the five years next preceding the date of the application and such other information as the Superintendent may require. The applicant shall declare that he intends to hold himself out publicly and carry on business in good faith as an insurance broker and he shall furnish a statement as to his trustworthiness and competency signed by at least three reputable persons resident in Ontario.

(3) If the Superintendent is satisfied with the statement and information required by the preceding subsection he shall issue the license applied for, and the license shall expire at the end of one year from its date unless sooner revoked or suspended.

(4) The license may, in the discretion of the Superintendent, be renewed upon payment of the fee of ten dollars for each succeeding year without requiring anew the detailed information hereinbefore specified.

(5) The Superintendent may, for cause shown and after a hearing, revoke the license, or may suspend it for a period not exceeding the unexpired term thereof, and may for cause shown and after a hearing revoke the license while so suspended, and shall notify the licensee in writing of such revocation or suspension and may publish a notice of such revocation or suspension in such manner as he may deem necessary for the protection of the public.

(6) Any person other than a licensed agent who assumes to act as an insurance broker without a license or during a suspension of his license shall be guilty of an offence.

(7) Subject to the provisions of section 248 a broker shall not be presumed to be the agent of the insurer or the agent of the insured by reason of the issue to him of a license under this section.

License may  
be granted  
limiting  
authority of  
licensee.

**246.** In addition to issuing insurance brokers' licenses giving full authority to the licensee as set forth in the preceding sections, the Superintendent may issue insurance brokers' licenses limiting the authority of the licensee to the extent agreed upon with the applicant and set forth in the license, but in other respects the granting of such licenses and the brokers so licensed shall be subject to this Act.

*Brokers' Licenses for Business with Unlicensed Insurers.*

License to  
special  
insurance  
broker.

**247.**—(1) The Superintendent may, upon the payment of a fee of twenty-five dollars, issue to any suitable person resident in Ontario, a license to act as a special insurance broker to negotiate, continue or renew contracts of fire insurance on property in Ontario in insurers not authorized to transact such business in Ontario.

Application  
to be filed  
with Super-  
intendent.

(2) The applicant for such license shall file with the Superintendent a written application under oath as prescribed by section 245.

Expiration  
of license.

(3) If the Superintendent is satisfied with the statements and information required, he shall issue the license applied for subject to suspension or revocation in the discretion of the Superintendent, which license shall expire at the end of one year from its date unless sooner suspended or revoked.

Renewal of  
license.

(4) The license may, in the discretion of the Superintendent, be renewed for each succeeding year upon payment of a fee of twenty-five dollars without requiring anew the detailed information specified by section 245.

Security to  
be filed with  
Superinten-  
dent.

(5) Every person shall, before receiving such license, execute and deliver to the Superintendent security to the satisfaction of the Superintendent in the sum of not less than five thousand dollars that the licensee will faithfully comply with all the requirements of this Act.

When  
licensee  
may effect  
insurance  
with  
unlicensed  
insurers.

(6) Where sufficient insurance on property in Ontario cannot be obtained at reasonable rates or on the form of contract required by the insured from insurers licensed to do business in Ontario, the person named in such license may effect insurance with unlicensed insurers, but shall in the case of every insurance effected under this section obtain from the insured a signed and dated statement describing the property insured, its location and the amount of insurance

required

required and stating that the insurance cannot be obtained in licensed companies and that the application for such insurance at the stated rate of premium was previously made to and refused by named companies licensed in Ontario. The person named in such license shall, within ten days after the placing of such insurance with unlicensed insurers, submit to the Superintendent a statement setting forth the name of the insured, the property insured and its location, the full names of the unlicensed insurers, and the amount of insurance placed with each and the rate and amount of premium paid to each.

(7) Every such licensee shall keep a separate account of insurance effected by him under his license in books in the form prescribed by the Superintendent, which shall be open to inspection by the Superintendent or any officer of the Department. Records to be kept— inspection.

(8) Within ten days after the end of each month every such licensee shall make to the Superintendent a return under oath in the form and manner by him prescribed, containing particulars of all insurances effected under this section by the licensee during such month. Monthly return.

(9) In respect of all premiums on insurance effected under a license, the licensee shall pay to the Department such taxes as would be payable if such premiums had been received by a licensed insurer, and payment thereof shall accompany the monthly return provided for in the preceding subsection. Tax on premiums.

(10) On it being shown to the satisfaction of the Minister that all insurances effected under this section are no longer in force or have been reinsured, the licensee shall be entitled to a release or cancellation of his security. Release of security given by licensee.

(11) Every person licensed under this section who contravenes any of the foregoing provisions of this section shall forfeit his license and shall be guilty of an offence. Forfeiture of license.

*Provisions Relating to Agents and Brokers Generally.*

**248.**—(1) An agent or broker shall, for the purpose of receiving any premium for a contract of insurance be deemed to be the agent of the insurer notwithstanding any conditions or stipulations to the contrary. Agent or broker receiving premiums.

(2) This section shall not apply to life insurance.

Application of section limited.



Fraudulent  
representa-  
tions.

**249.** An agent or broker who knowingly procures by fraudulent representations, payment or the obligation for payment of any premium on an insurance policy, shall be guilty of an offence.

Personal  
liability  
of agent for  
unlawful  
contracts.

**250.** An agent or broker shall be personally liable to the insured on all contracts of insurance unlawfully made by or through him directly or indirectly with any insurer not licensed to undertake insurance in Ontario, in the same manner as if such agent or broker were the insurer.

*Licenses of Insurance Adjusters.*

Licenses of  
insurance  
adjusters.

**251.**—(1) The Superintendent may, upon the payment of a fee of ten dollars, issue to any suitable person a license to act as an adjuster.

Application  
to be filed  
with Super-  
intendent.

(2) The applicant for such license shall file with the Superintendent a written application under oath upon a form provided by the Superintendent in which the applicant shall state his name, age, residence and occupation for the five years next preceding the date of the application and such other information as the Superintendent may require, and the applicant shall furnish a statement as to his trustworthiness and competency signed by at least three reputable persons resident in Ontario.

License to be  
in force one  
year.

(3) If the Superintendent is satisfied with the statements and information required, he shall issue the license which shall be in force one year from its date unless sooner revoked or suspended.

Renewal of  
license.

(4) A license may, in the discretion of the Superintendent and upon payment of a fee of ten dollars, be renewed for each succeeding year without requiring anew the detailed information hereinbefore specified.

Revocation  
or suspen-  
sion of  
license.

(5) The Superintendent may, for cause shown and after a hearing, revoke the license, or may suspend it for a period not exceeding the unexpired term thereof, and may, for cause shown and after a hearing, revoke the license while so suspended, and shall notify the licensee in writing of such revocation or suspension.

Penalty for  
acting  
without  
license.

(6) Any person who acts as an adjuster without such a license or during a suspension of his license, shall be guilty of an offence.



*Partnership Licenses of Agents, Brokers and Adjusters.*

**252.**—(1) Licenses as agents, brokers or adjusters may be issued to partnerships on the conditions hereinbefore specified for the issue of such licenses to individuals except as otherwise provided in this section. Licenses to partnerships

(2) Each member of the partnership shall file the statement or application and pay the fee required by this Act, including a written request that the license be issued in the name of the partnership. The license may be revoked or suspended as to one or more members of the partnership. Statement to be filed by each partner.

(3) If the partnership is terminated prior to the expiration of the license, the partners shall forthwith give notice to the Superintendent, who shall, thereupon, revoke the license. Notice of termination of partnership to be given to Superintendent.

(4) Any member of a partnership licensed under this section who contravenes any of the provisions hereof, shall be guilty of an offence. Failure to give notice of termination of partnership.

*Corporation Licenses of Agents, Brokers and Adjusters.*

**253.**—(1) Licenses as agents, brokers or adjusters may be issued to any corporation which is incorporated expressly for the purpose of acting as an insurance agent, broker or adjuster or for that and other purposes. 1922, c. 61, a. 16; *part*. Licenses to corporations.

(2) Licenses as agents or brokers shall not be issued to a corporation whose head office is outside of Canada or if it appears to the Superintendent that the application is made for the purpose of acting as agent or broker wholly or chiefly in the insurance of property owned by the corporation or by its shareholders or members. When licenses not to be issued.

(3) Except as otherwise provided in this section, such licenses, and the corporation and officers of the corporation named in the license, shall be subject to the provisions of this Act with respect to agents, brokers and adjusters. Licenses; to what to be subject.

(4) The license shall specify the officers who may act thereunder in the name and on behalf of the corporation and every such officer shall file a statement or application and pay the fee required by this Act for individual agents, brokers or adjusters; provided that employees who do not receive commissions and who act only in the name and on behalf of

the corporation may so act by authority of the corporation license although not named therein.

Revocation  
and suspen-  
sion of  
license.

(5) A license may be revoked or suspended as to the corporation or as to any officers named therein.

Superin-  
tendent may  
require  
information.

(6) If the principal business of a corporation licensed under this section is not the business of an insurance agent or broker or adjuster, the Superintendent may require from such a corporation such information as he deems necessary in respect to the corporation, its officers and affairs and may make such examination of its books and affairs as he deems necessary for the purposes of this Act.

Notice of  
dissolution  
of corpora-  
tion.

(7) Any corporation licensed under this section shall forthwith notify the Superintendent in writing of the dissolution or revocation of the charter of the corporation and upon receipt of such notice the Superintendent shall forthwith revoke the license.

Personal  
liability  
of officers

(8) Every officer specified in the license who contravenes any of the provisions of this section shall be guilty of an offence and shall be personally liable therefor, although such contravention is committed in the name and on behalf of the corporation, and the corporation shall be liable for any such contravention the responsibility for which cannot be placed upon any such officer.

#### *Provisions Relating to Agents, Brokers and Adjusters Generally.*

Acting as  
agent,  
broker,  
or adjuster  
without  
authority.

**254.** Any person who not being duly licensed as an agent, broker or adjuster, represents or holds himself out to the public as being such an agent, broker or adjuster, or as being engaged in the insurance business by means of advertisements, cards, circulars, letterheads, signs or other methods, or being duly licensed as such agent, broker or adjuster, advertises as aforesaid or carries on such business in any other name than that stated in the license, shall be guilty of an offence.

Agent to be  
deemed to  
hold prem-  
ium in trust  
for insurer.

**255.** An agent or broker who acts in negotiating, or renewing or continuing a contract of insurance, other than life insurance, with a licensed insurer, and who receives any money or substitute for money as a premium for such a contract from the insured, shall be deemed to hold such premium in trust for the insurer, and, if he fails to pay the same over to the insurer within fifteen days after written demand made upon him therefor, less his commission and any deductions to which, by the written consent of the company, he may be entitled, such failure shall be *prima facie* evidence

that

that he has used or applied the said premiums for a purpose other than paying the same over to the insurer.

**256.** No insurer, and no officer, employee, or agent thereof and no broker shall directly or indirectly pay or allow, or agree to pay or allow, compensation or anything of value to any person for placing or negotiating insurance on lives, property or interests in Ontario, or negotiating the continuance or renewal thereof, or for attempting so to do, who, at the date thereof, is not a duly licensed insurance agent or broker or a person acting under the authority of subsections 13 and 14 of section 244, and whoever knowingly violates the provisions of this section shall be guilty of an offence.

No compensation to be paid by insurer to person not licensed.

**257.** Every licensed insurer shall make a return under oath to the Superintendent in such form and at such times as he may require, showing all persons, partnerships and corporations duly authorized as its agents in Ontario, and of persons, partnerships or corporations to whom it has, within such period as the form of return may require, paid or allowed, or agreed to pay or allow, directly or indirectly, compensation for placing or negotiating insurance on lives, property or interests in Ontario, or negotiating the continuance or renewal thereof, or for attempting to do so.

Returns to Superintendent.

**258.** If the Superintendent refuses, suspends or revokes a license applied for by or issued to a broker or adjuster he shall state in writing his reasons therefor and any person who deems himself aggrieved by the decision of the Superintendent may appeal therefrom to the Minister and in case of an appeal the decision of the Superintendent shall not take effect until after the hearing and disposition thereof by the Minister.

Appeal.

## PART XIV.

## RATES AND RATING BUREAUS.

Interpreta-  
tion.

**259.** In this Part:

"Rating  
Bureau."

"Rating bureau" means any association or body incorporated or unincorporated, created or organized for the purpose of fixing or promulgating rates of premium payable upon contracts of insurance in Ontario, or the terms or conditions of such contracts, or for these and other purposes, or which assumes to fix or promulgate such rates, terms or conditions by agreement among the members thereof or otherwise.

Filing of con-  
stitution,  
by-laws,  
etc., in  
office of  
Superinten-  
dent.

**260.** Every rating bureau shall, forthwith after adoption, file in the office of the Superintendent duly certified copies of its constitution, articles of association, and by-laws, and a list of members of such bureaus and their addresses, and thereafter shall file in the office of the Superintendent every amendment, revision or consolidation of its constitution, articles of association and by-laws, and notice of the admission of new members and the withdrawal of former members, within thirty days after the passing or adoption of such amendment, revision or consolidation, or after the admission or withdrawal of such members.

Discrimina-  
tion  
in rates.

**261.** No rating bureau and no insurer authorized to transact the business of insurance within Ontario shall fix or make any rate or schedule of rates or charge a rate which discriminates unfairly between risks within Ontario of essentially the same hazard, or, if such rate be a fire insurance rate, which discriminates unfairly between risks in the application of like charges or credits or which discriminate unfairly between risks of essentially the same hazard and having substantially the same degree of protection against fire.

Authority  
to require  
information  
to be filed.

**262.**—(1) The Superintendent may on written complaint by an insured that discrimination exists, give notice in writing to a rating bureau or insurer, requiring such rating bureau or insurer to file with the Superintendent any schedules of rates or particulars showing how any specific rate is made up and any other information in connection therewith which he deems necessary or desirable.

Time limit  
for filing  
information.

(2) Such rating bureau or insurer shall, within five days after the receipt of the notice, file with the Superintendent the schedules, particulars and other information required.

(3) The Superintendent may, within thirty days after the receipt of the information required, make an order prohibiting any rate which, in his opinion, contravenes the provisions of section 261 and directing that the discrimination be removed. Issue of order prohibiting rate.

(4) The Superintendent shall forthwith deliver to the rating bureau or insurer a copy of such order and reasons therefor and shall cause notice thereof to be published forthwith in the *Ontario Gazette*. Notice of order.

(5) No rating bureau or insurer shall remove such discrimination by increasing the rates on any risk or class of risks affected by such order unless it be made to appear to the satisfaction of the Superintendent that such increase is justifiable. Rating bureau not to increase rate.

(6) Any rating bureau, insurer or other person failing to comply with any provision of such order shall be guilty of an offence. Penalty.

(7) Any order made under this section shall not take effect for a period of thirty days after its date and shall be subject to appeal within that time in the manner provided by section 13 of this Act and in the event of an appeal the order of the Superintendent shall not take effect pending the disposition of the appeal. Effect of order; appeal.

**263.** The Superintendent or any person authorized under his hand and seal of office shall at all times have access to all such books, securities or documents of a rating bureau or insurer as are related to the schedules of rates of the rating bureau or insurer; and any officer or person in charge, possession, custody or control of such books, securities or documents who refuses or neglects to afford such access shall be guilty of an offence. Superintendent to have access to books.

**264.**—(1) The Superintendent may inquire into any question which an insurer, insured or a rating bureau may bring before him with regard to insurance rates fixed by any rating bureau or charged by an insurer and also with regard to any other question arising out of the relationship or proposed relationship of the parties with reference to the insurance in question. Inquiry by Superintendent.

(2) The Superintendent shall not make any order pursuant to an inquiry under this section, but the result of such inquiry shall be reported in his annual report. 1922, c. 61, s. 16; *part.* Report of Superintendent.

## PART XV.

## AMALGAMATION, TRANSFER AND REINSURANCE.

Interpre-  
tation.

**265.** In this Part:

“Reinsur-  
ance.”

“Reinsurance” means an agreement whereby contracts made in Ontario by a licensed insurer or any class or group thereof are undertaken or reinsured by another insurer either by novation, transfer, assignment or as a result of amalgamation of the insurers.

Application.

**266.**—(1) Nothing in this Part shall affect contracts of reinsurance of individual risks made by insurers in the ordinary course of business.

Amalga-  
mation:  
compliance  
with law  
where in-  
corporated

(2) In the case of the amalgamation of insurers, if one of the contracting insurers is an insurer not incorporated or organized under the law of Ontario, the Superintendent shall not recommend that the agreement be approved by the Lieutenant-Governor in Council as hereinafter provided until it has been established to his satisfaction that the insurers, party to the agreement, have fully complied with the requirements of the law of the legislative authority under which the insurer was incorporated or organized; provided that a certificate of the supervising insurance official appointed by such legislative authority that such insurer has fully complied with the requirements of the law of the said authority, shall be sufficient evidence to the Superintendent of that fact.

Agreement  
to be in  
writing.

**267.** An agreement for reinsurance shall be evidenced by an instrument in writing setting forth in full the terms and conditions of such reinsurance but the agreement shall not be binding or effective until approved by the Lieutenant-Governor in Council upon the report of the Superintendent.

Approval of  
Lieutenant-  
Governor in  
Council

**268.** When any such agreement for reinsurance has been entered into, insurers, party thereto, shall within thirty days from the date of execution of the agreement apply to the Lieutenant-Governor in Council to approve the same by petition filed with the Superintendent.

Notice, etc.,  
to share-  
holders and  
policy-  
holders.

**269.**—(1) In the case of life insurance, before any such application is made, notice thereof together with:

(a)

- (a) a statement of the nature and terms of the agreement for reinsurance;
- (b) an abstract containing the material facts embodied in the agreement under which such reinsurance is proposed to be effected; and
- (c) copies of the actuarial or other reports upon which such agreement is founded including a report by an independent actuary approved by the Superintendent;

shall be served on the shareholders or members and on the holders of all policies in Ontario other than industrial policies of each insurer; provided however that the Superintendent may dispense with the service of such documents on the policyholders of the reinsuring insurer.

(2) Such notice and documents shall be served by being <sup>Service.</sup> transmitted through the post office directed to the registered or other known address of each such shareholder member and policyholder and within such period that they may be delivered in the due course of delivery at least thirty days before the day appointed for the hearing of the application.

(3) In the case of fraternal societies party to an agreement <sup>Service on members of fraternal society.</sup> for reinsurance, such notice and documents shall be deemed to be served on the members of a fraternal society if published in the official organ or publication, if any, of such society at least thirty days before the day appointed for the hearing of the application.

(4) The agreement under which such reinsurance is pro- <sup>Inspection of agreement by shareholders and policyholders.</sup> posed to be effected shall be open to the inspection of the policyholders and shareholders at the principal offices of the insurers within Ontario for a period of thirty days after the issue of the abstract herein provided for.

(5) A copy of such notice shall also be published in the <sup>Publication of notice in Ontario Gazette</sup> *Ontario Gazette* at least thirty days before the application is made.

**270.** In the case of fraternal societies, any such agreement <sup>Retiring allowance for officers of fraternal society.</sup> for reinsurance may provide for granting out of the funds of the continuing society to any officer who has been in the service of a society party to such agreement for at least twenty years, and who is more than sixty years of age, and whose services will not be required after such agreement

becomes

becomes effective, a sum not exceeding the aggregate of his salary or other remuneration for the next preceding three years or, in the alternative, an annual retiring allowance to any such officer during the remaining years of his life not exceeding three-fifths of his average annual salary for the next preceding three years of his service and payable weekly, semi-monthly or otherwise as may be agreed upon.

Documents  
to be filed  
with Super-  
intendent.

**271.** Upon the filing of the petition the insurers party to the agreement shall deposit with the Superintendent the following documents, that is to say:

- (a) a certified copy of the agreement for reinsurance,
- (b) a statement of the nature and terms of reinsurance,
- (c) certified copies of the statements of assets and liabilities of the insurers party to the agreement,
- (d) certified copies of the actuarial or other reports upon which the agreement is founded,
- (e) a declaration under the hands of the president and manager of each insurer that to the best of their knowledge and belief every payment made or to be made to any person whatsoever on account of the said reinsurance is therein fully set forth and that no other payments beyond those set forth have been made or are to be made either in money, policies, bonds, valuable securities or other property by or with the knowledge of any of the parties to the reinsurance,
- (f) evidence of the service and publication of the notices required by section 269, if any,
- (g) evidence that the provisions of the by-laws of the insurers relating to the ratification and approval of such an agreement have been complied with,
- (h) such other information and reports as the Superintendent may require.

Day of  
hearing.

**272.** Upon receipt of the petition the Superintendent shall fix a day for hearing the application, and notice of the hearing shall be given in the *Ontario Gazette* at least ten days before the date fixed for the hearing.

Recommend-  
ation.  
of Superin-  
tendent.

**273.** After hearing the directors, shareholders, members and policyholders and other persons whom he considers entitled to be heard upon the application or giving them an

opportunity



opportunity to be so heard, the Superintendent may recommend that the agreement be approved by the Lieutenant-Governor in Council if he is satisfied that no sufficient objection to the arrangement has been established.

**274.** No such agreement shall be recommended if it appears to the Superintendent that, after the consummation of the reinsurance, an impairment or deficiency will exist in the balance sheet of the continuing or reinsuring insurer when its liabilities (including its capital stock, if any) are calculated according to the provisions of this Act.

## PART XVI.

## REPEAL.

Repeal,

**275.** The following Acts and parts of Acts, namely:—

- (a) *The Ontario Insurance Act*, being chapter 183 of the Revised Statutes of Ontario, 1914.
- (b) *The Ontario Insurance Amendment Act, 1914.* 1914, c. 30.
- (c) Section 19 of *The Statute Law Amendment Act, 1915,* 1915, c. 20.
- (d) 1915, Chapter 30.
- (e) *The Ontario Insurance Amendment Act, 1916.* 1916, c. 36.
- (f) Sections 28 and 29 of *The Statute Law Amendment Act, 1917.* 1917, c. 27.
- (g) Sections 32, 33 and 34 of *The Statute Law Amendment Act, 1918.* 1918, c. 20.
- (h) Sections 23 and 24 of *The Statute Law Amendment Act, 1919.* 1919, c. 25.
- (i) *The Ontario Insurance Amendment Act, 1920.* 1920, c. 55.
- (j) *The Ontario Insurance Amendment Act, 1921.* 1921, c. 60.
- (k) *The Reciprocal Insurance Act, 1922.* 1922, c. 62.
- (l) *The Ontario Insurance Amendment Act, 1922.* 1922, c. 61.

are hereby repealed.

Commence-  
ment of  
Act.**276.**—(1) This Act, except as provided in subsections 2 and 3 hereof, shall come into force on the 1st day of January, 1925.Commence-  
ment of s. 21,  
subs. 4.

(2) Subsection 4 of section 21 shall come into force on the day upon which this Act receives the Royal Assent.

Com-  
mencement  
of Part XII.

(3) Part XII of this Act shall come into force on proclamation of the Lieutenant-Governor.

## SCHEDULE "A".

(Section 73)

## SUBDIVISION 1.

## MUTUAL BENEFIT SOCIETIES LICENSED BY THE PROVINCE.

1. Application for initial license.....	\$ 5 00
2. Extension of time for making application or delivering documents.....	2 00
3. License, original or renewed.....	10 00
4. Interim licenses or extension of licenses.....	2 00
5. Revivor of license after suspension.....	5 00
6. Filing power of attorney or change of power of attorney in case of extra-provincial societies.....	5 00

## SUBDIVISION 2.

## FRATERNAL SOCIETIES LICENSED BY THE PROVINCE.

1. Application for initial license.....	\$ 5 00
2. Extension of time for making application or delivering documents.....	5 00
3. License, original or renewed:	
(a) If the assets of the society do not exceed \$100,000....	25 00
(b) If the assets of the society exceed \$100,000 but do not exceed \$500,000.....	50 00
(c) If the assets of the society exceed \$500,000 but do not exceed \$1,000,000.....	100 00
(d) If the assets of the society exceed \$1,000,000.....	150 00

NOTE.—The assets of the society, as used in this schedule, shall mean the total gross assets of the society, wherever situate, as exhibited by the balance sheet of the society at the end of the last preceding accounting period of the society.

4. Interim license or extension of license.....	5 00
5. Revivor of license after suspension.....	20 00
6. Filing power of attorney or change of power of attorney in case of extra-provincial societies.....	5 00

## SUBDIVISION 3.

## ALL OTHER INSURERS LICENSED BY THE PROVINCE.

1. For examining and passing upon applications and upon application for initial license.....	\$10 00
2. For filing power of attorney.....	5 00
3. For filing change of power of attorney.....	5 00
4. Extension of time for making application or delivering documents.....	5 00

5. For each supplementary license.....	\$ 20 00
6. Fee on petition for Order-in-Council withdrawing or transferring deposit.....	25 00
7. Fee on filing annual statements.....	5 00
8. The fees for original and each renewal term of license, as the case may be, of all insurers licensed by the Province shall be as follows:	
A. In the case of purely mutual fire insurance corporations incorporated by the Province.....	10 00
B. In the case of all others:	
(a) Where the assets of the insurers do not exceed \$500,000	150 00
(b) Where the assets of the insurers exceed \$500,000 but do not exceed \$1,000,000.....	175 00
(c) Where the assets of the insurers exceed \$1,000,000 but do not exceed \$5,000,000.....	200 00
(d) Where the assets of the insurers exceed \$5,000,000 but do not exceed \$10,000,000.....	250 00
(e) Where the assets of the insurers exceed \$10,000,000...	300 00
<p>NOTE.—The assets of the insurers, as used in this schedule, shall mean the total gross assets of the insurers, wherever situate, as exhibited by the balance sheet of the insurers at the end of the last preceding accounting period of the insurers.</p>	
9. Interim license or extension of license.....	5 00
10. Revivor of license after suspension.....	25 00

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*SUBDIVISION 4.*

MISCELLANEOUS.

1. Office copy of decision or order of Superintendent.....	\$ 1 00
2. Certified copy of license.....	1 00
3. Certified copy of entry on register.....	50
4. Copies of or extracts from documents filed with or issued by the Superintendent, per folio of 100 words.....	10
Also certificate of Superintendent.....	1 00
5. For examining and passing upon applications of insurers to have their suretyship bonds authorized by any of the Acts respecting the acceptance of certain corporations as sureties.....	10 00
Order-in-Council authorizing such bonds.....	100 00
6. Fee for license, original or renewed, of underwriters' agencies.	100 00

R.S.O. 1914, c. 183, sched. H. *Amended.*

## SCHEDULE "B".

## PREMIUM NOTE,

(Section 98)

(Place)

(Date)

In consideration of insurance granted under Policy No. ....

I hereby promise to pay the.....Company

at.....(*place of payment*) the sum of.....dollars, as follows;

on.....day of.....19 , in full of cash payment,.....dollars

—or—

on.....day of.....19 , 1st instalment of cash payment.....dollars;

on.....day of.....19 , 2nd instalment of cash payment.....dollars;

on.....day of.....19 , 3rd instalment of cash payment.....dollars

—and—

upon notice such further sums not exceeding, in the aggregate, the face amount of this note as may be lawfully assessed hereon by the directors of the said Company pursuant to the provisions of *The Ontario Insurance Act, 1924*.

Any action which may be brought or commenced in a Division Court in respect or on account of this note, or any sum to be assessed thereon, may be brought and commenced against the maker hereof in the Division Court for the division wherein the head office or any agency of the insurer is located.

\$.....  
.....  
Signature of Insured.

.....  
Post Office Address.

## SCHEDULE "C".

(Section 233)

No..... Term of license.....to.....

DEPARTMENT OF INSURANCE  
ONTARIO.

## RECIPROCAL INSURANCE LICENSE.

This is to certify that.....  
being an exchange within the meaning of *The Ontario Insurance Act, 1924*,  
has complied with the requirements of the said Act; and the subscribers  
of the said exchange are hereby licensed and authorized for and during  
the term beginning on the.....  
day of.....19.... and ending on the.....  
day of.....19.... to exchange reciprocal contracts of  
indemnity or inter-insurance (*here state class of insurance*).

Superintendent of Insurance.

CHAPTER

## CHAPTER 51.

## An Act to amend The Ontario Railway Act.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Ontario Railway Act, 1924.*

Rev. Stat.  
c. 185, s. 7,  
subs. 2,  
amended.      **2.** Subsection 2 of section 7 of *The Ontario Railway Act* is amended by adding after the figures "111" in the first line the figures "120."

Rev. Stat.,  
c. 185, s. 148,  
amended.      **3.** Section 148 of *The Ontario Railway Act* is amended by adding thereto the following subsection:

Refusal to  
pay fare.      (2) Any passenger upon a car of an electric or street railway who refuses to pay his fare shall also be liable to a penalty not exceeding \$10 recoverable under *The Ontario Summary Convictions Act.*

Rev. Stat.  
c. 90.      **4.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.

## CHAPTER 52.

## An Act to amend The Ontario Telephone Act, 1918.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Clause *b* of section 2 of *The Ontario Telephone Act*, 1918, c. 31, s. 2, cl. *b*, 1918, is amended by adding after the word "corporation" in amended. the second line, the word "commission".

**2.** Clause *g* of section 2 of *The Ontario Telephone Act*, 1918, c. 31, 1918, is amended by adding the following at the end thereof:— amended. s. 2, cl. *g*.

"And also a person who having been a subscriber as last above defined has fully paid all annual special rates in respect of the establishment of a system or of its extension and the cost of maintenance during the period for which debentures have been issued to pay the cost of such establishment or extension, and continues thereafter to take telephone service from such system on the basis of paying such charges therefor as may be approved by the Board."

"Subscriber what to include."

**3.** Section 3 of *The Ontario Telephone Act*, 1918, as enacted by section 2 of *The Ontario Telephone Amendment Act*, 1921, is amended by adding at the end thereof the words "including the issue of debentures to meet the cost of the same" and by adding the following as subsection 2:—

1918, c. 31, s. 3; 1921, c. 62, s. 2, amended.

(2) Any by-law authorizing the issue of debentures, and any by-law authorizing the assumption of any outstanding debentures issued in respect of a system established under Part II which is passed by the council of a municipal corporation in the exercise of the powers conferred by this section or by sections 3*a* or 3*b*, shall not be valid until it shall have received the assent of the electors qualified to vote on money by-laws as required by *The Consolidated Municipal Act*, 1922.

Assent of electors when required to by-laws.

1918, c. 31,  
s. 3a; 1921,  
c. 62, s. 2,  
amended.

4. Section 3a of *The Ontario Telephone Act, 1918*, as enacted by section 2 of *The Ontario Telephone Amendment Act, 1921*, is amended by striking out the word "appropriate" in the fourth line and inserting in lieu thereof the word "expropriate".

1918, c. 31,  
s. 7,  
amended.

5. Section 7 of *The Ontario Telephone Act, 1918*, is amended by adding the following at the end thereof:—

Removal of  
names from  
petition.

"provided, however, that no application for such approval shall be considered by the Board after the lapse of six months from the date of the passing of the by-law for the establishment of the system or in the case of a petition for an extension to the system, after the lapse of six months from the date upon which the signature was affixed to such petition."

1918, c. 31,  
s. 10,  
repealed.

6. Section 10 of *The Ontario Telephone Act, 1918*, is repealed and the following substituted therefor:—

By-law for  
establish-  
ment of  
system.

10. Upon the receipt of a petition praying for the establishment of a telephone system the council of the initiating municipality may by by-law at the expense of the subscribers, and subject to such conditions as may be set forth in the by-law, provide for the establishment of the system and for the maintenance and operation of the same.

1918, c. 31,  
amended.

7. *The Ontario Telephone Act, 1918*, is amended by adding thereto the following section:—

Con-  
struction of  
extensions.

10a. After the establishment of a system the initiating municipality may from time to time, upon the receipt of a petition praying for an extension of the same, construct any extension as may seem expedient and necessary for the purpose of supplying telephone service to the petitioners.

1918, c. 31,  
s. 13,  
amended.

8. Section 13 of *The Ontario Telephone Act, 1918*, is amended by striking out the words "or to construct any extension of an existing system, which may require the issue of debentures" in the second and third lines, by striking out the words "or for the construction of such extension" in the fifth and sixth lines and by striking out the words "or for any extension of an existing system which may require the issue of debentures" in the ninth and tenth lines.

Elimination  
of words as  
to extension.

1918, c. 31, s.  
13, amended.

9. Section 13 of *The Ontario Telephone Act, 1918*, is further amended by adding thereto the following subsection:—



(2) The by-law may provide in general terms for the making of extensions to the system from time to time thereafter, and upon the receipt of a petition for an extension the initiating municipality may from time to time construct the same, and if any such extension requires the issue of debentures the by-law authorizing such issue shall recite the making of such extension, and shall adopt and confirm the same.

General provisions relating to extensions.

**10.** Section 19 of *The Ontario Telephone Act, 1918*, is amended by adding at the end thereof the words "and such extension of time may be granted although the application for the same is not made until after the expiration of such period of two years or twelve months, and in such case the by-law may be passed or the debentures issued within such extended time."

1918, c. 31, s. 19, amended.

Granting extension of time for passing of by-law or issue of debentures.

**11.** Section 19 of *The Ontario Telephone Act, 1918*, is further amended by adding thereto the following subsection:—

1918, c. 31, s. 19, amended.

(2) Any order of the Board heretofore made extending the time for the passing of any such by-law or for the issue of such debentures is confirmed and declared to be legal, valid and binding notwithstanding that the application for such extension was made after the expiration of the period prescribed by this section.

Confirmation of prior orders of Board.

**12.** Section 29c of *The Ontario Telephone Act, 1918*, as enacted by section 1 of the Act passed in 1922, chaptered 70, is amended by adding thereto the following subsection:—

1918, c. 31, s. 29c; 1922, c. 70, s. 1, amended.

(2) Any tolls or moneys paid by the initiating municipality to any other system or company for telephone service furnished by such system or company to any subscriber of the initiating municipality may be collected by the initiating municipality from such subscriber in the same manner and by the same remedies as the cost of the maintenance of a system.

Collection of tolls paid to other companies for subscribers.

**13.** Section 82 of *The Ontario Telephone Act, 1918*, is amended by adding after the word "company" in the second line the words "or with a commission furnishing telephone service to the public," by striking out the word "the" where it occurs the first time in the second line and inserting in lieu thereof the word "such", by adding after the word "latter" in the second line the words "company or commission" and by adding after the word "companies" in the sixth line the words "or by such company or commission as the case may be", so that the section will now read as follows:—

1918, c. 31, s. 82, amended.

82. A company may enter into an agreement with any other company or with a commission furnishing telephone service

Agreements with commission furnishing telephone service, for interchange of service, etc.

service to the public whether such latter company or commission is under the jurisdiction of the Legislature of the Province of Ontario or not, providing for the connection, intercommunication, joint operation or reciprocal use of the respective lines and systems controlled, owned or operated by such companies or by such company or commission as the case may be, and for the transmission of business between such systems, and for the interchange of telephone messages and service passing to, from or over their said lines and systems, and for the apportionment of tolls, commissions and expenditures, and the division of receipts and profits and generally for the regulation, management and operation of their said lines and systems respectively, as between themselves and otherwise, but no such agreement shall have any validity or effect until approved by the Board.

1918, c. 31,  
amended.

**14.** *The Ontario Telephone Act, 1918*, is amended by adding thereto the following section:—

Prohibition  
against dis-  
crimination  
as to tolls.

89a. There shall be no discrimination by any company in favour of or against any person, company or corporation furnished with telephone service by such first mentioned company either by way of reduction or increase in any toll as approved by the Board and no company shall without the approval of the Board furnish free telephone service to any person, company or corporation.

1918, c. 31,  
amended.

**15.** *The Ontario Telephone Act, 1918*, is amended by adding thereto the following section:—

Penalty for  
neglect to  
comply with  
certain  
provisions.

89b. If a company makes default in complying with the provisions of the three next preceding sections, or any of them, the company shall incur a penalty of \$25 for every such default, and every director, commissioner, manager, secretary or other officer of the company who wilfully authorizes or permits such default, shall incur the like penalty; every such penalty shall be recoverable under *The Ontario Summary Convictions Act*, or may be enforced by order of the Board.

Rev. Stat.,  
c. 90.

1918, c. 31,  
amended.

**16.** *The Ontario Telephone Act, 1918*, is amended by adding thereto the following section:—

Enquiry by  
Board as  
to whether  
rates  
sufficient to  
meet debt  
charges, etc

104a. The Board may from time to time enquire whether any system established by a municipal corporation under this Act is being operated in such a way that the rates or tolls charged for the service furnished by such system are sufficient to pay the debenture debt and interest created and accruing in respect thereof together with the cost of maintenance or whether greater rates are charged than are sufficient for such purposes and the Board shall have authority to order such

revision or readjustment of the said rates or tolls as it may deem expedient or necessary for the purposes herein defined.

**17.** This Act may be cited as *The Ontario Telephone Act, 1924.* Short title.

**18.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 53.

## The Municipal Amendment Act, 1924.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1922, c. 72,  
s. 193,  
amended.

**1.** Section 193 of *The Consolidated Municipal Act, 1922*, is amended, by inserting at the commencement of subsection 1 thereof, the words, "Subject to subsection 1a," and by adding thereto the following as subsection 1a:

First meet-  
ing where  
by-law pass-  
ed under  
s. 73b

(1a) The council of any local municipality in which a by-law passed under the provisions of section 73b is in effect, may hold its first meeting on the first Monday in January, except where that day is a holiday, and in that case on the following Tuesday, and may fix by by-law the hour at which such meeting shall be held.

1922, c. 72,  
s. 231,  
subs. 1,  
amended.

**2.** Subsection 1 of section 231 of *The Consolidated Municipal Act, 1922*, is amended by striking out the words, "a city or town" in the first line and substituting therefor the words, "any local municipality," and by inserting after the word "mayor" in the third line the words "or reeve" so that the subsection will now read as follows:

Assessment  
commis-  
sioner in  
local muni-  
cipalities.

(1) The council of any local municipality, instead of appointing assessors, may appoint an assessment commissioner, who, in conjunction with the mayor or reeve, shall appoint such assessors as may be necessary, and the assessment commissioner and the assessors shall constitute a board of assessors, and shall have all the powers and perform all the duties of assessors appointed under the next preceding section.

1922, c. 72,  
s. 297, subs. 2,  
amended.

Incurring  
further debt  
with ap-  
proval of  
Municipal  
Board.

**3.** Subsection 2 of section 297 of *The Consolidated Municipal Act, 1922*, is amended by adding at the end thereof the following words: "without the approval of the Municipal Board which may be given if it is shown to the satisfaction of the Board that it is in the interests of the corporation and

the ratepayers thereof that it should be authorized to incur such further debt and to levy any additional rate necessary to discharge it," so that the said subsection will now read as follows:—

- (2) If the aggregate amount of the rates necessary for payment of the current annual expenditure of the corporation, and the principal and interest of such debts exceeds the rate mentioned in subsection 1, the council shall assess and levy such further sum as may be necessary to discharge such debts, but shall not contract any further debt until the annual rates are reduced to that rate, without the approval of the Municipal Board, which may be given if it is shown to the satisfaction of the Board that it is in the interests of the corporation and the ratepayers thereof that it should be authorized to incur such further debt and to levy any additional rate necessary to discharge it.

4.—(1) Subsection 9 of section 325*a* of *The Consolidated Municipal Act, 1922*, is amended by striking out the words "for land taken by a by-law passed under this section" in the second and third lines and substituting therefor the words "payable under this section." 1922, c. 72,  
s. 325*a*,  
subs. 9,  
amended.

(2) Subsection 10 of section 325*a* of the said Act is amended by adding thereto the following clauses:— 1922, c. 72,  
s. 325*a*,  
subs. 10,  
amended.

- (c) damages occasioned by disturbance to any business established previous to the passing of the by-law to which the general principles of compensation shall apply;
- (d) damages to land, buildings and improvements injuriously affected by the exercise of any of the powers conferred by this section.

(3) The clause lettered *b* in subsection 11 of section 325*a* of the said Act is amended by striking out the words "for any land taken" in the last line and substituting therefor the words "hereunder in respect of any land." 1922, c. 72,  
s. 325*a*,  
subs. 11,  
cl. b,  
amended.

(4) The clause lettered *a* in subsection 12 of section 325*a* of the said Act is amended by striking out the words "as well as damages in respect of any land injuriously affected by the work" in the third and fourth lines thereof. 1922, c. 72,  
s. 325*a*,  
subs. 12,  
cl. a,  
amended.

(5) This section shall be read as though it had been in effect from and after the 18th day of May, 1922. Commence-  
ment of  
section.

1922, c. 72  
s. 354,  
amended.

5. Section 354 of *The Consolidated Municipal Act, 1922*, is amended by adding thereto the following subsection:

(3a) In case of the illness or absence of the Judge, the acting Judge appointed under the provisions of *The County Courts Act* shall act in his stead during such illness or absence.

1922, c. 72,  
s. 382,  
repealed.

6. Section 382 of *The Consolidated Municipal Act, 1922*, is repealed and the following substituted therefor:

Liability  
of city to  
contribute  
towards cost  
of court  
house and  
gaol.

382. Where a city is required to contribute towards the cost of building a court house or gaol not commenced before the 5th day of March, 1880, the city shall not be bound to pay for any part of the expenditure thereafter incurred in respect thereto unless the same has been concurred in by the council of the city, or in case of dispute has been determined by arbitration according to the provisions of this Act; and the council of the city shall have a voice in the selection of the site of the court house or gaol.

1922, c. 72,  
amended.

7. *The Consolidated Municipal Act, 1922*, is amended by adding thereto the following section:

Settlement  
of amount  
payable by  
city or town  
when court  
house and  
gaol built  
at expense  
of county.

384a. Where in any city or town the court house and gaol of the county have been erected at the expense of the county after the separation for municipal purposes of such city or town from the county, and before the 29th day of March, 1873, and such city or town has not erected a separate court house and gaol, if the city or town does not agree with the county as to the amount to be paid to the county as an allowance for interest and depreciation upon the capital cost of the erection of the county court house and gaol, the arbitrators in making their award, shall take into account the relative populations of the city or town and county, respectively, and the extent to which said buildings are used by the city or town and the county jointly or severally, as municipal corporations, or for municipal purposes, as well as the extent to which said buildings are used for the general administration of justice, and apart from and in addition to any amount payable under this Act for the use of said buildings by the city or town as a municipal corporation, or for municipal purposes, the arbitrators shall award to be paid by the city or town, a just proportion of the equivalent of annual interest and depreciation upon the capital cost incurred before said date in the

erection

erection of such buildings, which equivalent of interest and depreciation shall be computed at the rate of five and one-half per centum per annum, and the amount so awarded shall be payable by such city or town in addition to the share, proportion or compensation payable by such city or town under sections 379 and 384 of this Act.

8. Paragraph 24 of section 398 of *The Consolidated Municipal Act, 1922*, is amended by striking out the words "and renting" in the first line and substituting therefor the words "maintaining, operating and renting grain elevators" so that the paragraph will now read as follows: 1922, c. 72,  
s. 398,  
par. 24,  
amended.

24. For erecting, maintaining, operating and renting grain elevators, wharves, piers and docks in harbours, and floating elevators, derricks, cranes and other machinery for loading, discharging or repairing vessels. Erecting  
docks,  
elevators,  
etc.

9. Paragraph 28a of section 398 of *The Consolidated Municipal Act, 1922*, is amended by adding thereto the following clause: 1922, c. 72,  
s. 398,  
par. 28a,  
amended.

(c) Any such monument may with the approval of the Municipal Board, on application by the corporation, be erected in any highway not less than 66 feet in width and over which the corporation has jurisdiction. Erection of  
monument  
in highway.

10. Section 399 of *The Consolidated Municipal Act, 1922*, is amended by adding thereto the following paragraph: 1922, c. 72,  
s. 399,  
amended.

#### *Dogs—Licensing and Registration of.*

9a. For licensing and requiring the registration of dogs and for imposing a license fee on the owners, possessors or harbourers of them, with the right to impose a larger fee in the case of bitches or for each additional dog or bitch where more than one is owned, possessed or harboured by any one person or in any one household. Licensing  
and registra-  
tion of  
dogs.

(a) Where the license fee is equal to or exceeds the amount of the tax imposed by *The Dog Tax and Sheep Protection Act*, sections 3 to 8 of that Act shall not apply while the by-law remains in force, and it shall not be necessary to enter any particulars as dog taxes on the collector's roll. Rev. Stat.  
c. 246.

1922, c. 72,  
s. 399, par.  
26, amended.

**11.** Paragraph 26 of section 399 of *The Consolidated Municipal Act, 1922*, is amended by striking out the words "such substances" in the second line and inserting in lieu thereof the words "the substances mentioned in paragraph 18 of this section," so the paragraph will now read as follows:—

Licensing  
for carrying  
on business.

26. For granting licenses for the carrying on of the business of manufacturing the substances mentioned in paragraph 18 of this section, or for storing them in quantities of more than twenty-five pounds, and prescribing the time, not exceeding five years, during which the licenses shall remain in force.

(a) The license fee shall not exceed \$25 a month for every month in which such business shall be carried on.

1922, c. 72,  
s. 399a,  
par. 1,  
amended.

**12.** Paragraph 1 of section 399a of *The Consolidated Municipal Act, 1922*, is amended by striking out the words "for any other purpose than that of a detached private residence" in the third and fourth lines and inserting in lieu thereof the words "except for such purposes as may be set out in the by-law," so that the paragraph will now read as follows:

Erection of  
buildings in  
defined  
areas.

1. For prohibiting the use of land or the erection or use of buildings within any defined area or areas or abutting on any defined highway or part of a highway except for such purposes as may be set out in the by-law.

1922, c. 72,  
s. 400, par. 3,  
cl. b,  
amended.

**13.** The clause lettered *b* in paragraph 3 of section 400 of *The Consolidated Municipal Act, 1922*, is amended by inserting after the word "waterworks" in the tenth line, the words "or works for producing, receiving, transmitting or distributing electrical power or energy," and by inserting after the word "waterworks" in the twelfth line, the words "or works for producing, receiving, transmitting or distributing electrical power or energy," so that the clause will now read as follows:

Approval  
of board,—  
conditions  
precedent to.

(b) Such approval may be given if it is shown to the satisfaction of the board that the expenditure proposed to be made for such extensions or improvement or for the completion of such works or such purchase or acquisition is necessary, and that a sufficient additional revenue will be derived therefrom to meet the annual payments in respect of such debt and the interest thereon or in the case of the extension or improvement of waterworks or works for producing, receiving, transmitting or distributing electrical power or energy where it is



made to appear to the said board that the net revenue derived from such waterworks or works for producing, receiving, transmitting or distributing electrical power or energy justifies the construction of such extension or improvement or in the case of the extension or improvement of sewerage works or works for the interception, purification or disposal of sewage, that such extension or improvement is approved of by the Provincial Board of Health.

**14.** Paragraph 3 of section 400 of *The Consolidated Municipal Act, 1922*, is amended by adding the following clause: 1922, c. 72,  
s. 400, par. 3,  
amended.

- (d) This paragraph shall also apply to a municipal street railway system in the same manner and to the same extent as it applies to waterworks.

**15.** Paragraph 9a of section 400 of *The Consolidated Municipal Act, 1922*, as enacted by 1915, chapter 34, section 25, is repealed. 1922, c. 72,  
s. 400,  
par. 9a,  
repealed.

**16.** Section 400 of *The Consolidated Municipal Act, 1922*, is amended by inserting after paragraph 14 the following paragraph: 1922, c. 72,  
s. 400,  
amended.

*Fire Engines, Etc.*

- 14a. For purchasing fire engines and for purchasing and installing apparatus and appliances for fire protection at a cost not exceeding \$20,000 and for the issue of debentures therefor payable in equal annual instalments of principal and interest during a period not exceeding ten years. Purchase  
of fire  
engines,  
apparatus.

- (a) It shall not be necessary to obtain the assent of the electors to the by-law if it is passed by a vote of two-thirds of all the members of the council.

**17.** Paragraph 18 of section 400 of *The Consolidated Municipal Act, 1922*, is repealed and the following substituted therefor: 1922, c. 72,  
s. 400,  
par. 18,  
repealed

18. For prohibiting the erection or placing within defined areas of buildings or additions to them with external and party walls other than of brick, portland cement concrete, steel, stone, tile, terra-cotta or other incombustible material or of one or more of such materials or other than partly of one or more of such materials and partly of other materials as Kind  
of walls.

the by-law may prescribe and also prohibiting roofing of other than incombustible material, provided, however, that such by-laws may allow, in defined areas, buildings for prescribed purposes to be erected or placed not exceeding a prescribed size or height having walls of other than said materials or partly of one or more thereof and partly of other materials as the by-law may provide, with roofing of such materials as the council may determine according to the intended use of such buildings, and such by-laws may prohibit the erection or placing of more than the prescribed number of such buildings on any one lot or parcel of land.

- (a) "Incombustible material" in the foregoing paragraph shall include slate, tin, iron, tile, felt and gravel, and prepared roofing when laid in the manner approved of by the Inspector of Buildings, or other officer appointed for such purpose.

1922, c. 72,  
s. 400,  
par. 49,  
amended.

**18.** Paragraph 49 of the said section 400 is amended by striking out the words "and the width of the tires and wheels of all vehicles used for the conveyance of articles of burden, goods, wares or merchandise," in the first, second and third lines.

1922, c. 72,  
s. 407,  
par. 1,  
repealed.

**19.** Paragraph 1 of section 407 of *The Consolidated Municipal Act, 1922*, is repealed.

1922, c. 72,  
s. 408,  
par. 6, cl. c,  
amended.

**20.** Clause *c* of paragraph 6 of section 408 of *The Consolidated Municipal Act, 1922*, is amended by striking out the words "and the width of the tires on the wheels of vehicles used for the conveyance of articles of burden, goods, wares or merchandise on such highways."

1922, c. 72,  
s. 409,  
amended.

**21.** Section 409 of *The Consolidated Municipal Act, 1922*, is amended by adding thereto the following paragraph:

Tents for  
human  
habitation.

- 2g. For regulating and controlling the location, erection and use of tents for human habitation and for prohibiting the erection or use of tents for human habitation within any defined area or areas or on land abutting on any defined highway or part of a highway.

1922, c. 72,  
s. 410a,  
amended.

**22.** The second section 410a of *The Consolidated Municipal Act, 1922*, is amended by changing its number to "410b" and by inserting after the word, "on" in the second line the words, "or situate within ten miles of," and by adding thereto the following paragraphs:—

6. For exercising all the powers conferred on cities, towns, villages and townships abutting on an urban municipality, by paragraph 2 of section 399a with reference to regulating the height, bulk, location, spacing and character of buildings to be erected within any defined area or abutting on any defined highway. Building restrictions.
7. For prohibiting common begging or persons from importuning, in the highways or public places, others for help or for aid in money, and deformed, malformed, or diseased persons from exposing themselves, or being exposed there, to excite sympathy or for the purpose of obtaining help or assistance. Prevention of begging, etc.
8. For prohibiting children from riding on the platforms of cars, or riding behind or getting on wagons, sleighs or other vehicles while in motion, and for preventing accidents arising from such causes. Prohibiting children from riding behind wagons, etc.
9. For licensing and requiring the registration of dogs and for imposing a license fee on the owners, possessors or harbourers of them, with the right to impose a larger fee in the case of bitches or for each additional dog or bitch where more than one is owned, possessed or harboured by any one person or in any one household. Licensing and registration of dogs.
  - (a) Where the license fee is equal to or exceeds the amount of the tax imposed by *The Dog Tax and Sheep Protection Act*, sections 3 to 8 of that Act shall not apply while the by-law remains in force, and it shall not be necessary to enter any particulars as dog taxes on the collector's roll.
10. For providing that the reels, engines and vehicles of the Fire Department shall have the right-of-way on the streets and highways while proceeding to a fire or answering a fire alarm call. Right-of-way on streets for fire reels.
11. For appointing fire wardens, fire engineers and firemen and for promoting, establishing, and regulating fire, hook-and-ladder, and property saving companies. Establishing fire companies, etc.
12. For exercising all the powers conferred on urban municipalities by paragraph 38 of section 400 with reference to naming and surveying of streets. Naming and surveying streets.

Driving,  
etc., upon  
sidewalks.

13. For prohibiting the leading, riding or driving of horses or cattle upon sidewalks or in other places not proper therefor.

Location  
of stables,  
garages, etc.

14. For regulating the location, erection and use of stables, garages, barns, outhouses and manure pits.

Traffic on  
highways.

15. For exercising all the powers conferred on urban municipalities by paragraph 49 of section 400 with respect to regulating traffic on highways.

Regulating  
vending in  
streets.

16. For prohibiting or regulating the sale by retail in the highways or on vacant lots adjacent to them of any meat, vegetables, grain, hay, fruit, beverages, smallwares and other articles, and for regulating traffic in and preventing the blocking up of the highways by vehicles or otherwise.

Electrical  
workers.

17. For licensing and regulating electrical workers.

(a) The by-law shall not apply to employees of any Public Service Commission or Corporation.

1922, c. 72,  
s. 411,  
amended.

**23.**—(1) Section 411 of *The Consolidated Municipal Act, 1922*, is amended by adding after paragraph 1 the following paragraphs:

Erection of  
fire hall,  
purchase  
of fire  
engines, etc.

- 1a. For acquiring land for and erecting thereon a fire hall and for purchasing and installing fire engines, apparatus and appliances for fire protection of any defined area of the township at a cost not exceeding \$20,000 and for the issue of debentures to meet such cost payable in equal annual instalments of principal and interest during a period not exceeding ten years, and for levying a special annual rate on all the rateable property in such area according to the last revised assessment roll sufficient to meet such annual instalments of principal and interest.

(a) The by-law shall not be passed except with the assent of the electors qualified to vote on money by-laws in such area.

(b) The annual instalments of principal and interest shall not exceed the amount which would be produced by the levy of a special rate of two mills in the dollar on the rateable property in such area according to the then last revised assessment roll.

1b. For appointing, insuring and paying firemen and others employed in connection with the fire hall and for levying a special annual rate on all the rateable property in such area according to the last revised assessment roll to meet the cost thereof and the cost of the maintenance and repair of such fire hall, fire engines, apparatus and appliances.

Appointing,  
insuring and  
paying of  
firemen.

1c. For authorizing the reeve, or deputy reeve, or, in case of the absence of the reeve and deputy reeve, any member of the council, in the event of an emergency arising in the township by reason of timber or forest fires, to call out such number of resident male inhabitants of the township as may be necessary to fight and put out any such fires, and for fixing the amount of the remuneration to be paid to such residents for the services rendered by them.

Authority to  
call out help

(2) Paragraph 1a of section 411 as enacted by *The Municipal Amendment Act, 1917*, chapter 42, section 19, shall be hereafter denominated "paragraph 1d."

1922, c. 72,  
s. 411,  
par. 1a,  
amended.

**24.** Subsection 1 of section 472 of *The Consolidated Municipal Act, 1922*, is amended by adding thereto the following clause:

1922, c. 72,  
s. 472,  
subs. 1,  
amended.

(f) For acquiring land or an interest in land at street intersections for the purpose of rounding corners.

## CHAPTER 54.

An Act to amend The Municipal Franchise  
Act, 1922.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Municipal Franchise Act, 1924*.

1922, c. 74,  
s. 8,  
amended.      **2.** Section 8 of *The Municipal Franchise Act, 1922*, as amended by section 2 of *The Municipal Franchise Amendment Act, 1923*, is further amended by adding after the word "cities" in the first line the words "and separated towns."

Commence-  
ment of  
Act.      **3.** This Act shall be read and construed as though it had been in force on the 1st day of January, 1924.

## CHAPTER 55.

An Act to amend The Railway Employees  
and Commercial Travellers Voting  
Act, 1923.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Railway Employees and Commercial Travellers Voting Act, 1924.* Short title.

2. Section 5 of *The Railway Employees and Commercial Travellers Voting Act, 1923*, is amended by adding after the word "afternoon" in the fourth line thereof, the words "and for such further time as may be fixed by the by-law," so that the section will now read as follows: 1923, c. 44, s. 5, amended.

5. For the purpose of enabling every such person to vote at the annual municipal elections a poll shall be held and open from nine o'clock in the morning until five o'clock in the afternoon and for such further time as may be fixed by the by-law, for the three days, exclusive of Sunday, immediately preceding the day for holding the poll at the annual municipal election at the city, town or village hall or at some other convenient place chosen by the clerk, and notice of the time and place chosen by the clerk, and notice of the time and place of holding the poll shall be given by the clerk by publication in a newspaper for such time as may be thought proper by the council. Holding of poll.

3. *The Railway Employees and Commercial Travellers Voting Act, 1923*, is amended by adding thereto the following section: 1923, c. 44, amended.

12a. On the day fixed for holding the poll at the annual municipal elections the deputy returning officer at the polling place, in the presence of such candidates and their agents as may be present, shall at the hour fixed for the closing of the poll open the ballot boxes, count the votes and perform all the other duties required of a deputy returning officer by *The Consolidated Municipal Act, 1922*, at the annual municipal elections. Counting of votes. 1922, c. 72

## CHAPTER 56.

An Act respecting the Granting of Bonuses by  
Municipal Corporations.*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.     **1.** This Act may be cited as *The Bonus Limitation Act, 1924.*

Bonus by fixed assessment only.     **2.** From and after the coming into force of this Act the power of any municipal corporation in Ontario to grant bonuses in aid of any manufacturing business including iron works, rolling mills, works for refining or smelting ores, grain elevators, a beet sugar factory and a tobacco drier shall be limited to a fixed assessment as hereinafter set out notwithstanding anything to the contrary in any other general Act or in any special Act.

1922, c. 72, s. 288, subs. 2, cl. (a), amended.     **3.** Clause *a* of subsection 2 of section 288 of *The Consolidated Municipal Act, 1922*, is amended by striking out the words "a bonus in aid of a railway or for the promotion of iron works, rolling mills or works for refining or smelting ores, or is."

1922, c. 72, ss. 278, 395, 396, 397, repealed.     **4.** Sections 278, 395, 396 and 397 of *The Consolidated Municipal Act, 1922*, are repealed and the following section substituted therefor:

Fixed assessment of property of industries.

395.—(1) By-laws may be passed by the councils of local municipalities for fixing the assessment of the property of any person carrying on or proposing to carry on within the municipality any manufacturing business including iron works, rolling mills, works for refining or smelting ores, grain elevators, a beet sugar factory and a tobacco drier on such terms and conditions as the council may deem proper.

Limit of fixed assessment.

(2) The fixed assessment shall not be for a longer period  
than



than ten years, shall not be renewable and shall not apply to or affect taxation for school purposes or local improvements.

- (3) The by-law shall not be passed except with the affirmative vote of three-fourths of all the members of the council and the assent of two-thirds of the electors qualified to vote on money by-laws who vote on the by-law. Assent of electors, etc.
- (4) No person to whom, and no person who is interested in or holds shares in a company, and no nominee of a corporation to which a fixed assessment is to be granted shall be entitled to vote on the by-law. Who not to vote on by-law.
- (5) No by-law shall be passed granting a fixed assessment in respect of a branch of industry of a similar nature to one established in the municipality unless the person by whom it is carried on consents in writing to the granting of the fixed assessment. When fixed assessment not to be granted.
- (6) No by-law shall be passed granting a fixed assessment in respect of a business established elsewhere in Ontario or which has been removed to the municipality from another municipality in Ontario whether the business is to be carried on by the same person or by a person deriving title or claiming through or under him or otherwise or by such person in partnership with another person or by a joint stock company or otherwise. Fixed assessment not to be granted to industry established elsewhere.

5. From and after the coming into force of this Act any land then owned by any municipal corporation which, in pursuance of any power conferred on the corporation by any general or special Act or otherwise may be granted by way of bonus either by way of gift, sale, or lease within the meaning of and for any of the purposes mentioned in the said sections 395 and 396 hereby repealed shall not be granted by way of gift and shall not be sold or leased for any of such purposes except at a price or rental which may be determined by a Judge of the County or District Court on application to him for that purpose, as the fair market value or fair rental value, as the case may be, of the land and the corporation shall not have power to acquire any other land for any of such purposes. Sale or lease of land acquired for purpose of industrial sites.

6. This Act shall come into force on the 1st day of August, 1924. Commencement of Act.

## CHAPTER 57.

## An Act to amend The Local Improvement Act.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Rev. Stat.  
c. 193, s. 3,  
subs. 1, cl. i,  
amended.

1. Clause *i* of subsection 1 of section 3 of *The Local Improvement Act* is amended by striking out the words "light, heat or power" in the fourth line thereof and substituting therefor the words "light including street lighting, heat, or power."

Rev. Stat.  
c. 193, s. 3,  
subs. 1,  
amended.

2. Subsection 1 of section 3 of *The Local Improvement Act* is amended by adding after clause *i* the following clause:

Street  
lighting.

(ii)<sup>¶</sup> In a township where works have been constructed and erected for the supply of electrical power to owners, for constructing and erecting in connection with such works such further works, plant, appliances, and equipment as may be necessary for street lighting.

Rev. Stat.  
c. 193, s. 23,  
subs. 1,  
amended.

3. Subsection 1 of section 23 of *The Local Improvement Act* as amended by section 6 of the Act passed in the year 1915, chaptered 35, is further amended by inserting after the word "curbing" in the eighth line thereof the words "or of works, plant, appliances, and equipment for street lighting."

Rev. Stat.  
c. 193, s. 49,  
amended.

4. Section 49 of *The Local Improvement Act* is amended by adding thereto the following subsection:

Street  
lighting,  
apportion-  
ment of cost.

(1a) As to street lighting the by-law may provide that a part of the annual cost may be assessed upon the lands abutting directly on the street and that the remainder of such cost shall be assumed by the corporation at large.

5. Subsection 1 of section 27 of *The Local Improvement Act*, is amended by adding after the word "is" in the first line, the words "the acquisition, establishment, laying out and improving of a park or square or" so that the subsection will now read as follows:—

Rev. Stat.,  
c. 193, s. 27,  
subs. 1,  
amended.

- (1) Where the work is the acquisition, establishment, laying out and improving of a park or square or the construction of a bridge or the opening, widening, extending, grading, altering the grade of, diverting or improving a street and the council is of the opinion that for any reason it would be inequitable to charge the cost of the work on the land abutting directly thereon the council may provide for the payment by the corporation of such part of the cost as to the council may seem just and so much of the residue thereof as may seem just may be specially assessed upon the land abutting directly on the work and so much of such residue as may seem just on such other land as is immediately benefited by the work.

Apportion-  
ment of  
cost of  
bridge, park,  
opening  
street, etc.

6. Form 1 referred to in section 11 of *The Local Improvement Act*, is amended by striking out paragraph 3 and substituting therefor the following:

Rev. Stat.,  
c. 193,  
form 1,  
amended.

3. A petition to the said council will not avail to prevent its construction, but a petition against the work or the manner in which it has been undertaken, may be made pursuant to section 9 of *The Local Improvement Act*, to the Ontario Railway and Municipal Board, by a majority of the owners representing at least one-half of the value of the lots which are to be specially assessed therefor.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

Com-  
mencement  
of Act.

## CHAPTER 58.

An Act to amend The Planning and  
Development Act.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the  
Legislative Assembly of the Province of Ontario, enacts  
as follows:—

1918, c. 38,  
s. 8,  
amended.

1. Section 8 of *The Planning and Development Act* is  
amended by adding thereto the following subsection:—

(3) Where the land is situate in a city, town or village,  
or within an urban zone:

(a) Whether the land shown upon such plan is  
unfit, either wholly or in part, for building  
purposes, or is low-lying or swamp land or  
land which cannot be sewered or drained or  
which can be sewered or drained only at  
an excessive cost.

## ( CHAPTER 59.

## The Assessment Amendment Act, 1924.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.**—(1) Subsection 1 of section 10 of *The Assessment Act* is amended by adding thereto the following clause: Rev. Stat., 1, c. 195, s. 10, subs. amended.

(1) Every person carrying on the business of a supervised car park for a sum equal to ten per centum of the assessed value. Supervised car park.

(i) For the purpose of this clause a supervised car park shall mean an area of unimproved land where motor vehicles are parked or stored under supervision and where a charge for such supervision is made.

(2) Subsection 3 of the said section 10 is amended by inserting before the word "no" in the first line the word and figures "and 3b." Rev. Stat., c. 195, s. 10, subs. 3, amended.

(3) The said section 10 is further amended by adding thereto the following subsection: Rev. Stat., c. 195, s. 10, amended.

(3b) Where a person carrying on the business of a public garage as defined by paragraph 4 of section 406a of *The Consolidated Municipal Act, 1922*, also carries on the business of a supervised car park, he shall be assessed as a person carrying on the business of a supervised car park in respect of any premises or of any portion of the premises which are occupied and used by him solely and only for the purpose of such business. Garage business and supervised car park.

**2.** Subsection 3 of section 11 of *The Assessment Act* as enacted by section 10 of *The Assessment Amendment Act, 1922*, is repealed and the following substituted therefor:— Rev. Stat., c. 195, s. 11, subs. 3, repealed.

- (3) Where any person was assessed for income from personal earnings during the year 1923 but did not receive the whole or any part of such income during that year, he or the assessor or the assessment commissioner may apply to the Court of Revision on or before the 31st day of December, 1924, for a remission or reduction of his taxes and the court shall have power to remit or reduce his taxes according to the facts proved on such application and an appeal may be had from the decision of the Court of Revision to the county judge by the person assessed or by the municipal corporation.

Rev. Stat.  
c. 195, s. 45a,  
subs. 1,  
(1918, c. 20,  
s. 39),  
amended.

3. Subsection 1 of section 45a of *The Assessment Act* is amended by inserting after the word "owned" in the first line the words "or leased."

Rev. Stat.  
c. 195, s. 57,  
amended.

4. Section 57 of *The Assessment Act* is amended by adding thereto the following subsection:

- (9) It may be provided in any by-law passed under this section, that the by-law shall remain in force until repealed.

Rev. Stat.  
c. 195, s. 69,  
subs. 3,  
amended.

5. Subsection 3 of section 69 of *The Assessment Act* is amended by striking out the words "municipal elector" in the first line and substituting therefor the words "person assessed" and by adding at the end of the said subsection the words, "with regard to his own assessment."

Rev. Stat.  
c. 195, s. 99,  
subs. 1,  
amended.

- 6.—(1) Subsection 1 of section 99 of *The Assessment Act* is amended by adding after the word "Act" in the third line the words "or any other Act," and by adding after the words "statute labour" in the twentieth line the words "or any sum which is required by any other Act to be placed on the collector's roll."

- (2) This section shall come into force on the day upon which it receives the Royal Assent.

Rev. Stat.  
c. 195, s. 118,  
subs. 1,  
(1922, c. 78,  
s. 26),  
amended.

7. Subsection 1 of section 118 of *The Assessment Act* is amended by striking out the following words: "and with or without notice, receive and decide upon the petition" in the fourth and fifth lines, and substituting therefor the words "and upon at least five days' notice in writing, receive and decide upon an application."

Rev. Stat.  
c. 195, s. 171,  
subs. 7,  
amended.

8. Subsection 7 of section 171 of *The Assessment Act* is amended by striking out the words, "not exceeding four" in the second line thereof.

## CHAPTER 60.

An Act to repeal The Municipal Tax  
Exemption Act, 1920.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** *The Municipal Tax Exemption Act, 1920*, as amended <sup>1920, c. 64,</sup> by *The Municipal Tax Exemption Act, 1921*, is repealed, but <sup>repealed.</sup> any by-law heretofore passed under the said Act shall remain in force until it is repealed by the council of its own motion.

**2.** This Act shall come into force on the day upon which it receives the Royal Assent. <sup>Commence-  
ment of  
Act.</sup>

## CHAPTER 61.

## An Act to amend The Public Utilities Act.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short  
title.

1. This Act may be cited as *The Public Utilities Act, 1924.*

Rev. Stat.  
c. 204, s. 34,  
subs. 7,  
amended.

2. Subsection 7 of section 34 of *The Public Utilities Act* is amended by striking out the figure "4" in the second line and substituting therefor the figure "5."

Rev. Stat.  
c. 204, s. 26,  
subs. 1,  
repealed.

3. Subsection 1 of section 26 of *The Public Utilities Act* is repealed and the following substituted therefor:

By-laws for  
maintenance  
and  
manage-  
ment of  
works.

- (1) The council may pass by-laws for the maintenance and management of the works and the conduct of the officers and others employed in connection with them, and may also by by-law or resolution fix the rates or charges for supplying the public utility and the charges to meet the cost of any work or service done or furnished for the purpose of a supply of a public utility, and the rent of or charges for fittings, apparatus, meters or other things leased or furnished to consumers and provide for the collection of such rates, charges and rents, and the times and places when and where the same shall be payable; and for allowing for prepayment or punctual payment such discount as may be deemed expedient.

Rev. Stat.  
c. 204, s. 27  
repealed.

4 Section 27 of *The Public Utilities Act* is repealed and the following substituted therefor:

Rates to be  
lien on lot  
or building.

27. The amount payable to a municipal corporation or to a public utility or Hydro-Electric Commission of a municipality by the owner or occupant of any building or lot or part of lot for the public utility supplied to him for use therein or thereon, and all rents, rates, costs and charges which may be fixed or imposed under the authority of this Act, shall be a lien and charge on the building or lot or part of

lot



lot in the same manner and to the same extent as municipal taxes on land and in default of payment, the clerk of the municipality upon being notified of the amount due, shall enter the same upon the collector's roll and it shall forthwith thereafter be collected in the same manner as municipal taxes on land and upon recovery thereof, be applied for the purposes of the public utility.

5. *The Public Utilities Act* is amended by adding thereto the following section: Rev. Stat., c. 204, amended.

27a. The supply of a public utility under sections 26 and 27 of this Act shall be deemed to include not only that which is actually used by the owner or occupant in question, but also that which is rendered available or held in reserve for such owner or occupant. What supply to include.

6. Section 38 of *The Public Utilities Act* as amended by section 3 of the Act passed in the year 1917, chaptered 47, is further amended by adding thereto the following subsection: Rev. Stat., c. 204, s. 38, amended.

(3) Where a commission is established which has the control and management of works constructed for the distribution of electrical power or energy supplied by the Hydro-Electric Power Commission of Ontario and also the control and management of works for one or more other public utilities, no utility shall be charged with more than its *pro rata* share (according to the number of utilities operated) of any costs, charges and expenditures incurred or made by such commission for any joint purpose, including rents and the salaries of the joint employees without the consent and approval of the Hydro-Electric Power Commission of Ontario. Approval of Commission as to share of costs.

7. *The Public Utilities Act* is amended by adding thereto the following section: Rev. Stat., c. 204, amended.

43a. Notwithstanding anything contained in this Act or in *The Consolidated Municipal Act, 1922*, where a municipal corporation has entered into a contract with the Hydro-Electric Power Commission of Ontario for a supply of electrical power or energy all books of account of the corporation or commission relating to the distribution and supply of such electrical power or energy shall be closed and balanced on the 31st day of October for the year ending on that date. Rev. Stat., c. 204, amended.

8. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 62.

## An Act to amend The Highway Traffic Act, 1923.

*Assented to 17th April, 1924.*

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Highway Traffic Act, 1924*.

1923, c. 48,  
s. 9, subs. 2,  
amended.      **2.** Subsection 2 of section 9 of *The Highway Traffic Act, 1923*, is amended by striking out the words "or to motor vehicles operated under dealers' or manufacturers' permits or licenses" in the tenth and eleventh lines thereof.

1923, c. 48,  
s. 22, subs. 1,  
amended.      **3.** Subsection 1 of section 22 of *The Highway Traffic Act, 1923*, is amended by adding at the end thereof the words "in respect of each separate premises used by him for the purposes of such business."

1923, c. 48,  
s. 30, subs. 1,  
amended.      **4.**—(1) Subsection 1 of section 30 of *The Highway Traffic Act, 1923*, is amended by inserting the figure and letter "1a" before the figure "2" in the first line.

1923, c. 48,  
s. 30, subs. 2,  
amended.      (2) Subsection 2 of the said section is amended by striking out the figures "1925" in the first line and substituting therefor the figures "1927."

1923, c. 48,  
s. 30, subs. 3,  
repealed.      (3) Subsection 3 of the said section is repealed and the following substituted therefor:—

Prohibition  
after 1st,  
Jan. 1928.      (3) No motor vehicle or trailer having a gross weight in excess of eight tons shall be permitted to operate on any highway on and after the 1st day of January, 1928.

1923, c. 48,  
s. 30, subs. 5,  
amended.      (4) Subsection 5 of the said section is amended by adding after the figures "18,000" in the last line of the table the words and figures "but not more than 20,000" and by adding after the table the words "provided that the Minister may

authorize

authorize tires of less than the width specified in such table in the case of such vehicles, the gross weight of which is distributed more or less evenly on all four wheels and in the case of such vehicles which are equipped with more than four wheels and in the case of trailers."

(5) Subsection 7 of the said section is amended by striking out the figures "\$10" in the third line and substituting therefor the figures "\$25," by striking out the figures "\$20" in the fourth line and substituting therefor the figures "\$50," and by striking out the figures "\$50" in the seventh line and substituting therefor the figures "\$100."

1923, c. 48,  
s. 30, subs. 7,  
amended.

(6) The said section is amended by adding thereto the following subsections:

1923, c. 48,  
s. 30,  
amended.

(1a) No trailer shall be drawn over or upon any highway in any municipality in excess of a total weight of 10 tons or 6,000 pounds on any one wheel, including the trailer and load, without first obtaining a permit as provided by section 31.

Restrictions.  
for trailers.

(6a) For the purpose of this section a trailer shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn.

5. Subsection 2 of section 32 of *The Highway Traffic Act*, 1923, c. 48, 1923, is amended by inserting after the word "vehicles" in the second line, the words "and trailers."

s. 32, subs. 2,  
amended.

6. Subsection 1 of section 34 of *The Highway Traffic Act*, 1923, c. 48, 1923, is amended by inserting after the word "flag" in the fifth line, the words "or a red wooden or metal sign."

s. 34, subs. 1,  
amended.

7. Subsection 1 of section 35 of *The Highway Traffic Act*, 1923, c. 48, 1923, is amended by striking out the words "maximum load" in the fifth line and substituting therefor the words "gross weight."

s. 35, subs. 1,  
amended.

8. Subsection 3 of section 37 of *The Highway Traffic Act*, 1923, c. 48, 1923, is amended by striking out the words "and in addition his license or permit may be suspended for any period not exceeding sixty days" at the end thereof.

s. 37, subs. 3,  
amended.

9. Subsection 3 of section 44 of *The Highway Traffic Act*, 1923, c. 48, 1923, is amended by striking out the words "and in addition his license or permit may be suspended for any period not exceeding sixty days" at the end thereof.

s. 44, subs. 3,  
amended.

1923, c. 48,  
s. 50, subs. 1,  
amended.

**10.** Subsection 1 of section 50 of *The Highway Traffic Act, 1923*, is amended by striking out the figures "29" in the second line thereof.

1923, 48,  
s. 59, bs. 1,  
amended.

**11.** Subsection 1 of section 59 of *The Highway Traffic Act, 1923*, is amended by striking out the figures "29" in the thirteenth line, and by striking out the words "be cancelled and" in the seventeenth line and substituting therefor the words "in addition to the penalties provided in such section, be cancelled and, in the event of cancellation,"

Commence-  
ment of  
Act.

**12.—**(1) Subject to the provisions of subsection 2 this Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
section 7.

(2) Section 7 shall come into force on the 1st day of January, 1925.

## CHAPTER 63.

## An Act to amend The Public Vehicle Act, 1923.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Public Vehicle Act, 1924*. Short title.
2. Section 5 of *The Public Vehicle Act, 1923*, is amended 1923, c. 49, s. 5, amended. by adding at the commencement thereof the words and figures "(1) Subject to the provisions of subsection 2," and by adding thereto the following subsection:—
  - (2) The corporation of any such municipality may, with the approval of the Department, designate by Designation of streets. law, the streets within the municipality over which the person holding such permit may operate his vehicle.
3. This Act shall come into force on the day upon which Commence-  
ment of  
Act. it receives the Royal Assent.

## CHAPTER 64.

## An Act to amend The Community Halls Act, 1920.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Community Halls Act, 1924*.

1920, c. 72,  
s. 6,  
repealed.

**2.** Section 6 of *The Community Halls Act, 1920*, is repealed and the following substituted therefor:

When  
athletic  
field or  
community  
hall need  
not be  
established.

6. It shall not be necessary for the council of a township or village to establish an athletic field in connection with the establishment of a community hall, or to establish a community hall in connection with the establishment of an athletic field and the Minister may grant aid under this Act without requiring the establishment of an athletic field or of a community hall where he is of opinion that adequate accommodation is otherwise provided.

1920, c. 72,  
s. 7, subs. 1,  
repealed.

**3.**—(1) Subsection 1 of section 7 of *The Community Halls Act, 1920*, is repealed and the following substituted therefor:

Action  
by school  
section for  
establish-  
ment of hall.

(1) Upon a petition being presented to the council of a township, signed by more than one-half the number of ratepayers in any school section or school sections in the township and praying that the council of the township may pass a by-law for the establishment of a community hall, or a community hall and athletic field, or an athletic field for such school section or sections, the council may pass a by-law for the establishment of such community hall, or community hall and athletic field, or athletic field in any school section or in any village adjacent or contiguous thereto and may exercise the power conferred by section 5.

(2) Subsection 2 of the said section 7 is repealed and the following substituted therefor: 1920, c. 72, s. 7, subs. 2, repealed.

- (2) The moneys required for the establishment of a community hall, a community hall and athletic field or an athletic field under this section, may be raised by the issue of debentures of the township in the manner provided by *The Consolidated Municipal Act, 1922*, but it shall not be necessary to procure the assent of the ratepayers for the passing of any by-law for the issue of such debentures, and all moneys required to provide for sinking fund and interest on the debentures issued under this section or for any other purpose in connection with the establishment of a community hall, a community hall and athletic field, or an athletic field for a school section shall be raised by special rate upon all property subject to municipal taxation in the school section or school sections, and the word "ratepayer" in this section shall mean persons assessed and liable to taxation for general municipal purposes. Issue of debentures. 1922, c. 72.

(3) The said section 7 is further amended by adding thereto the following subsections: 1920, c. 72, s. 7, amended.

- (5) In the case of a union school section composed of parts of two adjacent counties, the council of the municipality which passes the by-law for the establishment of a community hall, or a community hall and athletic field, or an athletic field shall have all the powers and perform all the duties which may be exercised or are to be performed under this Act in the same manner as if the whole of the school section were within the said municipality and the lands in the union school section shall, for the purposes of this Act, be deemed to lie wholly within and to be under the exclusive jurisdiction of the council so passing such by-law. In union school section.
- (6) The clerk of the said council shall forthwith after the passing of the by-law imposing the special rates to pay the cost of the establishment of a community hall, or a community hall and athletic field, or an athletic field, as the case may be, deliver or transmit by registered post to the clerk of the municipality in which is situate any land upon which a special rate has been imposed, a copy of the by-law, certified under his hand and the seal of the municipality to be a true copy. Transmission of copy of by-law to other municipalities.

Collection  
of rates in  
union  
section.

- (7) The rates required by the by-law to be levied and collected in any year upon land in any municipality other than that by the council of which the by-law is passed shall be collected by the council of such municipality in like manner as if such rates had been imposed by that council.

Payment of  
share of  
each section

- (8) The corporation of a municipality other than that by the council of which the by-law is passed shall pay to the last mentioned municipality the sums which are to be levied and collected in that year under the next preceding subsection, and such payments shall be made on demand therefor at any time after the 14th day of December in that year, and shall be made whether or not such rates have been collected from the persons liable to pay them.

Lands  
to remain  
liable.

- (9) Such payments shall not relieve any lands specially assessed from the special rate thereon, but it shall remain liable for the special rate until it is paid.

1920, c. 72,  
s. 8, subs. 1,  
repealed.

4. Subsection 1 of section 8 of *The Community Halls Act, 1920*, is repealed and the following substituted therefor:

Board.

- (1) Every community hall, community hall and athletic field or athletic field established under this Act shall be under the management and control of a board appointed by the council, composed as follows:

- (a) Two members of the council; and
- (b) Five members selected by the council from among the officers of the local organizations, for the use of which the hall or athletic field is established, and in selecting such representatives, the council shall have regard to the contribution by each organization to the erection and maintenance of the community hall or establishment and maintenance of the athletic field.

Commence-  
ment of  
Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.



## CHAPTER 65.

## An Act to amend The Ontario Temperance Act.

*Assented to 17th April, 1924*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Ontario Temperance Act*, Short title. 1924.

**2.** Section 147 of *The Ontario Temperance Act* as enacted 1916, c. 50, by section 2 of *The Temperance Referendum Act, 1919*, is s. 147, (1919, c. 61, s. 2), repealed and the following substituted therefor: repealed.

- 147.—(1) The Lieutenant-Governor in Council may from time to time direct that there shall be submitted to the electors of Ontario qualified to vote at elections to the Assembly, any question or questions as to the enactment of legislation repealing or amending this Act, or as to prohibiting, regulating, controlling or otherwise dealing with the sale, keeping for sale, having in possession or transportation of liquor in Ontario. Power to submit questions to electors.
- (2) The Lieutenant-Governor in Council by his proclamation may fix the terms in which any such question or questions shall be submitted and the time and manner in which the votes of the electors shall be taken, and may, in and by the same proclamation, provide for voting on different questions at different times. Terms of question.
- (3) Upon the issue of the proclamation the provisions hereinafter contained shall apply to the taking of the votes of the electors upon the question or questions so submitted. Manner in which vote to be taken.
- (4) Nothing in this section shall be construed as affecting or limiting, or intended to affect or limit the powers, rights and privileges of the Crown or the Legislature, or of the office of Lieutenant-Governor. Certain rights not affected.

Provisions of  
Rev. Stat.  
c. 8; 1920,  
c. 2; 1922, c. 4  
to apply.

- (5) All the provisions of *The Ontario Election Act*, *The Election Laws Amendment Act, 1920* and *The Ontario Voters' Lists Act, 1922*, and the amendments thereto, applicable to the holding of a general election to the Legislative Assembly shall *mutatis mutandis* apply to the taking of a vote on any question submitted under this section including the provisions relating to the preparation and revision of the voters' lists, the qualification of the voters, the powers and duties of the officers, the holding of the poll, the counting and summing up of the votes and the declaration of the result of the poll, the returns to be made by officers, and the provisions relating to corrupt practices, illegal acts, offences and penalties and their prosecution.

Returns as  
to result.

- (6) The returning officer appointed for each electoral district shall make his return to the Clerk of the Crown in Chancery showing the number of votes polled for the affirmative and negative on each of the questions submitted in each municipality in the electoral district, and upon the receipt of the last of such returns the Clerk of the Crown in Chancery shall make his return to the Lieutenant-Governor in Council and give notice thereof in the *Ontario Gazette* showing the total number of votes polled in Ontario for the affirmative and negative of each of the said questions.

Preparation  
and modifi-  
cation of  
forms, etc.

- (7) The Clerk of the Crown in Chancery and the Chief Election Officer, subject to the approval of the Lieutenant-Governor in Council, shall give such directions and make such regulations and prepare such forms as may appear to them to be necessary in carrying out the provisions of this section and for the guidance of returning officers and other officers and persons employed in the taking of the vote, and may modify or alter any of the provisions of *The Ontario Election Act*, *The Election Laws Amendment Act, 1920*, *The Ontario Voters' Lists Act, 1922*, and amendments thereto when compliance therewith appears to be inconvenient, impracticable or unnecessary and may make due provision for circumstances which may arise and which are not provided for or contemplated by this section.

Forms

- (8) The forms to be used at the taking of the vote shall be the same as nearly as may be as the forms used at an election to the Assembly, but such forms may

be modified and altered to comply with the provisions of this section or with any direction or regulation given or made thereunder.

- (9) The fees and expenses to be allowed to returning officers and other officers and servants for services performed under this section, and the expenses incurred in carrying out the provisions of this section shall be fixed by the Lieutenant-Governor in Council and shall be payable in the same manner and subject to the same provisions as nearly as may be as in the case of fees and expenses in the holding of an election to the Assembly. Fees and expenses.

3. The clause lettered *n* in section 2 of *The Ontario Temperance Act*, is repealed and the following substituted therefor: 1916, c. 50, s. 2, cl. n' repealed.

- (*n*) "Druggist," except in section 123*a* of this Act, shall mean a person who may by law carry on any business which may be authorized under *The Pharmacy Act* and who in addition thereto is authorized by permit under the provisions of this Act, and in section 123*a* alone shall mean any person who may by law carry on any business which may be authorized by *The Pharmacy Act*. Druggist. Rev. Stat. c. 164.

4. Section 38 of *The Ontario Temperance Act* as amended by section 9 of *The Ontario Temperance Amendment Act, 1917*, and section 3 of *The Ontario Temperance Amendment Act, 1920*, is repealed and the following substituted therefor: 1916, c. 50, s. 38, repealed.

38. Every licensee under this Act and every druggist and wholesale druggist shall between the first and tenth days of every month send to the Board a copy of the record mentioned in section 36 of this Act, for the calendar month immediately preceding, with his certificate attached thereto and such certificate shall state that no other sales were made during such month save those mentioned in the copy of the record sent to the Board, and in the event of no liquor having been sold during the month for which the return is required to be made the certificate shall so state according to the facts. Returns to be made by druggists.

5. Subsection 4 of section 55 of *The Ontario Temperance Act* as enacted by section 14 of *The Ontario Temperance Amendment Act, 1918*, is amended by inserting after the word "giving" in the second line the word "having" so that the subsection will now read as follows: 1916, c. 50, s. 55, subs. 4, (1918, c. 40, s. 14), repealed.

Arrests  
without  
warrant.

- (4) Any such intoxicated person and any person found committing the offence of selling, giving, having or drinking liquor upon a street, highway or in any public place may be arrested without a warrant.

1916, c. 50,  
s. 58, subs. 2,  
cl. a, (1922,  
c. 86, s. 3),  
amended.

6. The clause lettered *a* in subsection 2 of section 58 of *The Ontario Temperance Act* as enacted by section 3 of *The Ontario Temperance Amendment Act, 1922*, is amended by adding after the figures "40" in the fourth line, the words and figures "or of section 123a" and by adding after the figures "\$2,000," in the sixth line the words "and in default of immediate payment shall be imprisoned for a period of not less than three nor more than six months unless the penalty and costs are sooner paid."

Imprison-  
ment in  
default of  
payment of  
fine.

1916, c. 50,  
amended.

7. *The Ontario Temperance Act* is amended by adding thereto the following section:

Offence  
to accept  
bribes.

60c.—(1) No police constable, police officer, officer or other person whether employed permanently or temporarily or for a particular occasion or in any other manner in connection with the enforcement of this Act shall directly or indirectly receive, take or have any money or other valuable consideration for reporting or not reporting any matter or thing connected with the administration of this Act or for performing or omitting to perform his duty in that behalf except the remuneration and allowance assigned to him by virtue of his office.

Offence  
to offer  
bribes.

- (2) No person shall give or offer any money or other valuable consideration to any of the persons mentioned in subsection 1 hereof, for any of the purposes mentioned therein.

Penalty.

- (3) Any police constable, police officer, officer or other person mentioned in subsection 1 hereof, receiving, or any person offering money or other valuable consideration, contrary to the provisions of this section, shall be guilty of an offence and liable to a penalty of \$500, and in default of immediate payment, to imprisonment for six months.

1916, c. 50,  
amended.

8. *The Ontario Temperance Act* is amended by adding thereto the following section:

Confiscation  
of vehicle.

68a. Whenever it appears to the satisfaction of a magistrate who has convicted any person of selling intoxicating liquor or of keeping such liquor for sale

contrary to the provisions of this Act, that any vehicle which has been seized under the provisions of subsection 2 of section 70 of this Act has been used in connection with the offence for which such conviction was made, such magistrate may in and by such conviction or by a separate or subsequent order, declare such vehicle to be forfeited to His Majesty to be dealt with in such manner as the Minister may direct.

**9.** Subsection 2 of section 70 of *The Ontario Temperance Act* as amended by subsection 2 of section 26 of *The Ontario Temperance Amendment Act, 1917*, and section 5 of *The Ontario Temperance Amendment Act, 1921*, is further amended by striking out the words "or otherwise" wherever they occur in the subsection and by inserting after the word "kept" in the seventh line the words "together with such vehicle," so that the subsection will now read as follows:

- (2) Any inspector, policeman, constable or officer, if <sup>Seizure of vehicle.</sup> he believes that liquor intended for sale or to be kept for sale in contravention of this Act, is contained in any vehicle on a public highway or elsewhere, or in any boat on the inland waters of Canada within the Province of Ontario, or is concealed upon the land of any person, may enter and search such vehicle or boat and may enter upon and search such land and seize and remove any liquor found there and the vessels in which the same is kept together with such vehicle; or if he finds either upon the public highway or elsewhere, any trunk, box, valise, bag or other receptacle whatever which he believes contains liquor for sale in contravention of this Act, he may forthwith seize and remove the same together with the package or packages in which such liquor is contained whether in the custody of or under the control of any person or not.

**10.** Subsection 7 of section 70 of *The Ontario Temperance Act* as amended by subsection 4 of section 26 of *The Ontario Temperance Amendment Act, 1917*, is further amended by adding thereto the following clause:

- (a) If the magistrate before whom the summons is returnable finds from evidence given on oath before him that any vehicle at the time such vehicle was seized under subsection 2 of this Act, contained

liquor intended for sale or to be kept for sale in contravention of this Act, the Magistrate may direct that such vehicle shall be forfeited to His Majesty to be dealt with in such manner as the Minister may direct.

1916, c. 50,  
amended.

**11.** *The Ontario Temperance Act* is amended by adding thereto the following section:

Penalties  
for cor-  
porations.

107a. Where the penalty required to be imposed by any section of this Act includes imprisonment in addition to a fine, the offender, if a corporation, shall, if no other special provision is made, be liable to a fine of not less than the maximum fine imposed by such section nor more than double the amount of such fine.

1916, c. 50,  
s. 123,  
amended.

**12.** Section 123 of *The Ontario Temperance Act* as amended by section 41 of *The Ontario Temperance Amendment Act, 1917*, is further amended by striking out the word "eleven" in the first line and inserting in lieu thereof the word "thirteen."

1916, c. 50,  
amended.

**13.** *The Ontario Temperance Act* is amended by adding thereto the following section:

Permit to  
sell required  
by druggist.

123a.—(1) Except as hereinafter provided by this Act no druggist shall by himself, clerk, servant or agent expose or keep for sale or directly or indirectly or upon any pretence or upon any condition, sell or barter, or in consideration of the purchase or transfer of any property or thing, or at the time of the transfer of any property or thing, give to any person any liquor without having first obtained a permit under this Act authorizing him so to do, and then only as authorized by such permit and as prescribed by this Act.

When Board  
may grant  
permit.

(2) The Board may on the approval of the Minister, grant a permit to any druggist authorizing him to keep liquor for sale and to sell the same for strictly medicinal purposes in such quantities and to such persons and for the purposes specified in this Act.

Form of  
permit.

(3) The form of the permit shall be approved by the Board and the fee to be charged therefor shall be the sum of \$1 and such permit shall not be transferable.

1916, c. 50,  
s. 126, subss.  
3 and 5,  
(1918, c. 40,  
s. 27),  
repealed.

**14.** Subsections 3 and 5 of section 126 of *The Ontario Temperance Act* as enacted by section 27 of *The Ontario*

*Temperance Amendment Act, 1918*, are repealed and the following subsections substituted therefor:

- (3) The Provincial Board of Health, on complaint being made to the said Board that any patent or proprietary medicine or other medicine, preparation or mixture is believed not to contain sufficient medication to prevent its use as an alcoholic beverage, may cause an analysis of such patent or proprietary medicine or other medicine, preparation or mixture to be made by some competent person and if it be proved to the satisfaction of the said Board that such patent or proprietary medicine or other, medicine, preparation or mixture contains more than two and one-half per centum of proof spirits and that the medication found therein is not sufficient to prevent its use as an alcoholic beverage, the said Board shall certify accordingly. Analysis by Provincial Board of Health.
- (5) If the said Board should find and certify that the said patent or proprietary medicine or other medicine, preparation or mixture contains any medication which owing to the alcoholic properties of such patent or proprietary medicine or other medicine, preparation or mixture would be liable to be taken in quantities injurious to health, the sale of such patent or proprietary medicine or other medicine, preparation or mixture, after a copy of such certificate has been consecutively published twice in the *Ontario Gazette*, shall be an offence against *The Ontario Temperance Act* and any person on conviction therefor shall incur the penalties provided by section 59 of this Act unless the same has been so sold upon the written order of a medical practitioner. Penalty for sale after report of Board prohibiting.

**15.** Section 128 of *The Ontario Temperance Act* as amended 1916, c. 50, by sections 42 and 43 of *The Ontario Temperance Amendment Act, 1917*, and section 28 of *The Ontario Temperance Amendment Act, 1918*, is further amended by striking out the figures "59" in the last line of subsection 5, and inserting in lieu thereof the figures "132" and by adding thereto the following subsection: s. 128, amended.

- (7) The Board may by a request in writing for any cause which it deems sufficient, require a druggist to forward to it all liquor prescriptions or orders filled by him during any period of time which the Board Board may obtain pre-prescriptions.

may by its written request designate and failure to comply with such request within two weeks shall be an offence against the provisions of this Act.

1916, c. 50,  
s. 132,  
amended.

**16.** Section 132 of *The Ontario Temperance Act* is amended by striking out the figures "59" in the fourth line and inserting in lieu thereof the figures "58," by adding after the word "selling" in the fourth line the words "and in addition thereto the Board may cancel the permit granted him under section 123a of this Act," by inserting after the word "section" in the sixth line the figures "58," and by adding after the word "Ontario" in the last line thereof the words "and his said permit under this Act shall be cancelled by the Board" so that the section will now read as follows:

Penalty  
for sale by  
druggist  
without  
permit.

132. Any druggist who keeps for sale or who sells or barter any liquor in contravention of this or any other Act shall for the first offence on conviction thereof incur the penalties imposed by section 58 for selling and in addition thereto the Board may cancel the permit granted him under section 123a of this Act and for a second or any subsequent offence shall on conviction thereof incur the penalty imposed by said section 58, as for a second offence for selling; and in addition thereto his certificate authorizing him to carry on the business of a "chemist and druggist" in Ontario shall *ipso facto* be void and be of no force or effect whatever for a period of two years from the date of his conviction, a copy of which shall forthwith be sent to the Registrar of the Ontario College of Pharmacy, or until the council of such College shall see fit in its discretion after the expiration of such period of two years to reinstate such druggist who shall not in the meantime be eligible as a member, director or shareholder of any incorporated company dealing in drugs or medicine in Ontario and his said permit under this Act shall be cancelled by the Board.

Commence-  
ment of  
Act.

**17.** This Act shall come into force on the day upon which it receives the Royal Assent.



## CHAPTER 66.

## An Act respecting the Licensing of Hotels.

*Assented to 17th April, 1924.*

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Hotels Act, 1924*.

Short title.

2. In this Act,

Interpretation.

(a) "Hotel" shall mean a separate building or two or more connected buildings used mainly for the purpose of catering to the needs of the travelling public by the supply of food and also by the furnishing of sleeping accommodation of not less than six bedrooms as distinguished from any other building or connected buildings used mainly for the purpose of supplying food and lodging by the week or otherwise commonly known as "boarding houses" or of furnishing living quarters for families and having a dining room or restaurant commonly known as "apartment houses" or "private hotels."

Hotel.

(b) "Minister" shall mean that member of the Executive Council who is charged for the time being with the administration of *The Ontario Temperance Act*.

Minister.

3.—(1) No person shall carry on the business of a hotel unless and until he has paid the license fee prescribed by the Regulations and has received from the Minister the license to do so.

License required.

(2) Every person contravening the provisions of subsection 1 shall incur a penalty equal in amount to double such license fee.

Penalty.

(3) The license shall be deemed a license to the person and for the premises occupied by the hotel.

Effect of license.

4. Subject to the regulations the Minister may issue to the person carrying on the business of a hotel upon payment of the prescribed fee and upon compliance with the conditions prescribed by the regulations a license to carry on such business.

Issue of license.

Term of  
license.

**5.** Every such license shall continue in force until the 31st day of May next following the date of the issue thereof and may be renewed annually thereafter upon payment of the prescribed fee.

Sale of non-  
intoxicating  
drinks, etc.

**6.** The holder of a license issued under this Act shall be entitled to sell all non-intoxicating drinks and beverages, cigars, cigarettes and tobacco, and to conduct an ice cream or general restaurant or cafe without further or other license.

Regulations.

**7.** The Lieutenant-Governor in Council may make regulations:

- (a) Classifying and grading hotels and prescribing and fixing the amount and kind of accommodation and the appointments and equipment including sanitary and other conveniences requisite for obtaining licenses for the different classes of hotels and regulating and governing the hotels so licensed;
- (b) Fixing the license fee for each class of hotel and for the transfer of the license;
- (c) Respecting the suspension or revocation of licenses and the causes therefor;
- (d) Prescribing the conditions governing the issue and renewal and transfer of licenses and the form of licenses and transfers;
- (e) Prescribing penalties for breach of any regulation;
- (f) Generally for the better carrying out of the provisions of this Act.

Penalties.

**8.** Every person who contravenes any of the provisions of this Act or of the regulations for which no other penalty is provided shall incur a penalty of not less than ten dollars and not more than one hundred dollars.

Recovery of  
penalties.

**9.** The penalties imposed by this Act or by the regulations shall be recoverable under *The Ontario Summary Convictions Act*.

1916, c. 50,  
s. 146,  
repealed.

**10.** On the coming into force of this Act section 146 of *The Ontario Temperance Act* as amended by section 48 of *The Ontario Temperance Amendment Act, 1917*, and section 31 of *The Ontario Temperance Amendment Act, 1918*, and section 17 of *The Ontario Temperance Amendment Act, 1920*, shall stand repealed and all licenses issued thereunder shall expire.

Commence-  
ment of  
Act.

**11.** This Act shall come into force on a day to be named by Proclamation of the Lieutenant-Governor in Council.

## CHAPTER 67.

An Act to amend The Billiard Room and  
Bowling Alley License Act, 1922.*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Billiard Room and Bowling Alley License Act, 1924.* Short title.

2. Subsection 3 of section 3 of *The Billiard Room and Bowling Alley License Act, 1922*, is repealed and the following substituted therefor: 1922, c. 85, s. 3, subs. 3, repealed.

(3) A license shall not be issued under this section covering a municipality unless the applicant for the license is the holder of a license from the council or the board of commissioners of police, as the case may be, on the same business, or the council or the board holding the power to license has, by resolution, approved of the application. Municipal license or resolution approving of application.

## CHAPTER 68.

## An Act to amend The Public Health Act.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Public Health Act, 1924*.

Rev. Stat.  
c. 218, s. 25,  
subs. 2,  
amended.

**2.** Subsection 2 of section 25 of *The Public Health Act* as amended by section 3 of *The Public Health Amendment Act, 1918* and section 4 of *The Public Health Amendment Act, 1920*, is further amended by adding after the words, "sanitary conveniences," in the fifth line, the words: "and construct private drain connections required to connect such sanitary conveniences with the common sewers of the municipality," so that the subsection will now read as follows:

When  
local board  
may instal  
sanitary con-  
veniences.

- (2) Where a local board in a city or in any town, village or police village in which a sewerage system has been established recommends that sanitary conveniences should be installed in any building, and is of the opinion that the owner of the premises is unable to pay the expense of the same at once, the municipality may instal suitable sanitary conveniences and construct private drain connections required to connect such sanitary conveniences with the common sewers of the municipality at the expense of the owner, and the board may direct that the cost, including interest at a rate not exceeding six per centum on the deferred payments, be paid by the owner in equal successive annual payments extending over a period not exceeding five years, and that such annual payments be added by the clerk of the municipality to the collector's roll and collected in like manner as municipal taxes.

Payment by  
owner in  
equal  
annual  
instalments.

## CHAPTER 69.

An Act for the establishment of the  
Department of Health.*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Health Department Act*, Short title.  
1924.

**2.** There shall be a Department of Health over which the Department of Health.  
Minister of Health shall preside.

**3.**—(1) There shall be a Deputy Minister of Health who Deputy Minister, appointment of.  
shall be appointed from time to time as a vacancy occurs, by the Lieutenant-Governor in Council and shall perform such duties in the Department as may be assigned to him by the Lieutenant-Governor in Council and by the Minister, and in the absence of the Minister the Deputy Minister shall preside over the department.

(2) The Deputy Minister shall be the Chief Officer of Chief Officer of Health to be Deputy Minister.  
Health for Ontario under the provisions of *The Public Health Act*.

(3) The Deputy Minister shall have, exercise and perform Powers and duties.  
all the rights, powers and duties of a deputy head of a department as provided in *The Ontario Public Service Act* and Rev. Stat. c. 14.  
amendments thereto.

**4.** The Lieutenant-Governor in Council may appoint Appointment of officers, clerks, etc.  
such officers, clerks and servants of the Department as may be deemed necessary and may prescribe their duties and fix their salaries or other remuneration.

**5.** The salary or other remuneration of the Deputy Minister Salaries.  
and of the officers, clerks and servants of the Department shall be fixed by the Lieutenant-Governor in Council and shall be payable out of such moneys as may be appropriated by the Legislature for that purpose.

Powers of  
Department

**6.** The Department shall be charged with the administration and enforcement of *The Public Health Act* and generally all the statutes relating to the protection of the health of the people of Ontario, and of any regulations made under any such statutes.

Rev. Stat.,  
c. 13, s. 3,  
amended.

**7.**—(1) Section 3 of *The Executive Council Act* is amended by adding after the words "Minister of Labour" added thereto by subsection 1 of section 3 of *The Department of Labour Act, 1919*, the words "a Minister of Health."

Rev. Stat.,  
c. 13, s. 4,  
subs. 1,  
amended.

(2) Subsection 1 of section 4 of *The Executive Council Act* is amended by adding after the words and figures, "The Minister of Mines—\$6,000" added thereto by subsection 2 of section 3 of *The Department of Mines Act, 1920*, the words and figures "The Minister of Health—\$6,000."

Rev. Stat.,  
c. 213, s. 2,  
cl. h,  
repealed.

**8.** The clause lettered *h* in section 2 of *The Public Health Act* is repealed and the following substituted therefor:

"Minister."

(*h*) "Minister" shall mean Minister of Health.

Commence-  
ment of  
Act.

**9.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 70.

An Act for the better Protection of  
Immigrant Children.*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Immigrant Children's* Short title.  
*Protection Act, 1924.*

2. In this Act,

Interpre-  
tation.

- (a) "Agent" shall include the superintendent or other officers of any society to which this Act applies, and also any person who undertakes for reward or otherwise to bring immigrant children into Ontario and to place them in foster homes or as apprentices to any trade or calling or to procure them to be so placed or to secure employment for them or otherwise settle them in Ontario;
- (b) "Child" shall mean a person under eighteen years of age;
- (c) "Immigrant Child" shall mean a child brought over- seas to Canada from Great Britain or Ireland or any other country by a society or agent and who is to be placed out in a foster home or apprenticed or hired out or otherwise settled in Ontario and "Immigrant Children" shall have a corresponding meaning;
- (d) "Inspector" shall mean an officer in the public service designated as inspector under this Act by the Lieutenant-Governor in Council and shall include an officer of a children's aid society acting under the direction and authority of the Minister;
- (e) "Minister" shall mean the member of the Executive Council to whom for the time being the administration of this Act is assigned;

"Place-  
ment."

(f) "Placement" shall mean the placing out by a society or agent of an immigrant child in a foster home or in the home of a master or employer as a foster child, apprentice or employee or in any other capacity;

"Regula-  
tions."

(g) "Regulations" shall mean regulations made under the authority of this Act;

"Society."

(h) "Society" shall mean any individual or association of individuals incorporated or unincorporated, undertaking the care, training, reformation or education of children, or the bringing of immigrant children into Ontario, or the placing out in foster homes, or the apprenticing or securing employment for immigrant children and shall include a branch or agency of any society.

Authorized  
societies  
and agents.

3. The Lieutenant-Governor in Council may authorize any society or agent to carry on the work of bringing into Ontario immigrant children for the purpose of providing for such children in Ontario by placing them out in foster homes or by their adoption, or by apprenticing them to any trade or calling, or by securing employment for them or otherwise settling them in Ontario, but any authority so given may be withdrawn and cancelled in the case of a society or agent violating any of the provisions of this Act or of the regulations.

Supervision  
by Inspec-  
tor.

4. Every society or agent if such authority has been given shall, as to operations in Ontario, be subject to the inspection and supervision of the Inspector and to such regulations as the Lieutenant-Governor in Council may deem necessary from time to time for the effective supervision of every placement or contemplated placement of immigrant children in Ontario.

Approval of  
placement.

5.—(1) A society or agent shall not bring into Ontario for placement in the Province any immigrant child until definite application has been made for the child and the placement has been approved by the Inspector by his certificate in writing signed by him.

Inspection  
before place-  
ment.

(2) Whenever application is made to a society or agent authorized under this Act for the placement of an immigrant child in any home, such application shall be referred by the society or agent to the Inspector who shall personally satisfy himself as to the desirability of the applicant and as to his or her ability to provide a proper home and up-bringing for any immigrant child placed with him or her, and the Inspector shall not issue the certificate mentioned in subsection 1 until he is so satisfied.



(3) When an application for the placement of an immigrant child has been approved the society or agent may bring an immigrant child into its receiving home in Ontario for placement in the home of an approved applicant. Child may be brought in after approval.

6.—(1) The Lieutenant-Governor in Council may designate Inspector. an officer in the public service as inspector for the purpose of the administration of this Act.

(2) The officer so designated, with the approval of the Minister, may delegate any of his duties or authority to a children's aid society or any officer or member of a children's aid society. Delegation of authority.

7. It shall be the duty of the Inspector, Duties of Inspector.

- (a) to inspect the work of every society or agent and to see that the records required by this Act or by the regulations are duly kept by every society and agent;
- (b) to see that every immigrant child brought into Ontario by a society or agent and placed out, apprenticed or employed or otherwise settled in Ontario is visited by a member or officer of a children's aid society at regular intervals and to act at once upon information received from any children's aid society or any member or officer thereof that any child so brought into Ontario is being treated unkindly or unfairly and in case he deems it necessary, to lay the facts before the Crown Attorney for action against the person with whom the child is placed out, apprenticed or employed;
- (c) to see that every such child is, as far as possible, provided with suitable companionship and is receiving proper education and is not overworked and is properly fed and clothed and is receiving proper remuneration for services rendered;
- (d) to see that communication is at all times maintained with such child by the society or agent responsible for bringing such child into Ontario, or by a children's aid society, and for that purpose to encourage and assist in procuring regular correspondence between such child and the society or agent or children's aid society;
- (e) to secure co-ordination and co-operation between every society and agent and children's aid societies and religious, educational and other bodies and institutions having for their object, or one of their objects, the protection and assistance of children;

(f)

- (f) generally to see that the conditions of life of every such immigrant child are such as to promote his health, well-being and happiness and to seek by every means in his power to arouse and stimulate individual and associated interest in the well-being of immigrant children.

Record of  
operations  
of society.

8. Every society or agent authorized to carry on work in Ontario as aforesaid shall keep a record in writing showing,

- (a) the full name of every immigrant child brought, or procured to be brought into Ontario by the society or agent;
- (b) the name and address of the parents or guardians or other persons from whom the society or agent received such child;
- (c) the date on which the child was brought into Ontario;
- (d) the age and date of birth of the child;
- (e) the name and place of residence of every person from time to time having the custody of the child;
- (f) the more important terms and conditions of the agreement entered into on placing out or binding as an apprentice any child;
- (g) such other particulars as the Inspector may, with the approval of the Minister in charge, from time to time require to be kept on record.

Duties of  
societies and  
agents as to  
children  
brought into  
Ontario.

9.—(1) Every society or agent shall maintain careful supervision over every immigrant child brought, or caused or procured to be brought into Ontario by such society or agent, until such child shall attain the age of eighteen years, and it shall be the duty of such society or agent to cause a personal visit by an agent specially appointed for that purpose, to be made to each such immigrant child at least once in every year, until the child shall have attained the said age, and for the purposes of this Act, and for the protection of the person and earnings of the child, the society or agent, until an immigrant child attains the age of eighteen years shall, subject to the provisions of this Act and the regulations, have all the powers and perform all the duties by law provided in the case of the guardian of an infant.

Certificate  
of age.

(2) A certificate in writing, signed by an inspector, stating the age of any immigrant child admitted into Ontario under this Act at the date when such child was so admitted or

left

left Great Britain or Ireland or such other country for that purpose together with a further certificate signed by the Provincial Secretary declaring that the person signing such first mentioned certificate was at the time of signing the same a duly authorized inspector under this Act, shall in any prosecution, action or other proceeding instituted, brought or taken under any Act of this Legislature, on account of, or by, or against, or on behalf of any immigrant child so admitted, be conclusive evidence as to the age of such child.

(3) Where an action is brought or other proceedings are taken for the recovery of wages earned by any child to whom this Act applies against the master or employer of the child, the judge or magistrate trying such action or other proceeding shall take into consideration all the circumstances of the case and if he finds that the child worked for and earned the sum sought to be recovered may direct payment of the amount claimed, or of such part thereof as he may deem just, notwithstanding that the child had left such employment or been removed therefrom before the expiration of the period for which he was engaged. Recovery of wages.

(4) *The Master and Servant Act* shall apply to the recovery by a society or agent of wages due to a child to whom this Act applies. Recovery under Rev. Stat. c. 144.

**10.**—(1) Every society or agent shall provide a permanent home or shelter to which any immigrant child brought into Ontario by such society or agent, may be returned after having been placed out in a foster home or apprenticed or employed or otherwise settled as aforesaid, if the person with whom the child has been placed is unable or unwilling to retain the custody or control of the child, and the address of such shelter shall be specified in every agreement made with persons receiving children into foster homes or as apprentices or employees. Homes or shelters to be provided.

(2) Every such home or shelter shall be regularly visited and inspected by the Inspector and he shall report upon such inspection to the Minister. Inspection of homes and shelters.

**11.** Every person receiving from any society or agent any immigrant child shall, whenever required by the society or agent or by the Inspector so to do, furnish to the society or agent full particulars as to the health, conduct, progress and welfare of the child, and permit the Inspector or society or agent to have access to the child at all reasonable times. Persons with whom children placed to give information to society.

Return to home when employer unwilling to retain child.

**12.**—(1) Where a person who has received from a society or agent an immigrant child is unable or unwilling to carry out the agreement entered into by him with the society or agent, he shall, at his own expense, return the child safely to the home or shelter provided by the society or agent, and any such person who abandons a child so received, or refuses to maintain the child and neglects or refuses to return him to the home or shelter provided by the society or agent as aforesaid, shall incur a penalty of not less than \$10 nor more than \$100 or may be imprisoned for any term not exceeding three months, but nothing in this section contained shall be deemed to relieve any person or to entitle any person to relief as a matter of right in respect of a child received by him from any society or agent or in respect of any contract or agreement which may have been entered into in respect of such child, until he shall have obtained the written consent of such society or agent in that behalf.

Record of child returned.

(2) Before another placement is made of any child so returned a full record of the health, habits and conduct of the child shall be given by the society or agent to any person with whom the child is to be placed out.

Where child brought into Ontario becomes a public charge.

**13.** Where an immigrant child hereafter brought into Ontario by any society or agent becomes, within three years after being so brought into Ontario, a charge upon the public funds in any municipality, or upon the Province, or dependent upon private charity, the society or agent shall, if so ordered by the Inspector, pay to the municipality, or to the Province, or any person maintaining or furnishing necessities for the child as the case may be, the cost of the maintenance or furnishing of such necessities and may be required to return the child to the place from which he came into Ontario, if in the opinion of the Inspector such a course is advisable.

Penalty for bringing children into Province unlawfully.

**14.** Every person who, without the authority of the Lieutenant-Governor in Council provided for by this Act, brings, causes or procures to be brought into Ontario, any indigent, neglected or dependent child not being his own child, or a child for whom he is acting as guardian, or towards whom he stands in *loco parentis*, shall be guilty of an offence and shall incur a penalty of not less than \$10 nor more than \$100 and in default of payment may be imprisoned for a period of not less than six months.

Society or agent to be notified when child leaves master or guardian.

**15.** Where a child of his own accord deserts the home or employment of any person in whose home he has been placed or with whom he has been apprenticed or employed, or is wrongfully taken from the custody of such person with or without the consent of the child, the person from whose cus-

tody the child has been taken or has escaped, shall immediately notify the society or agent from whom the child was received, and shall give all reasonable assistance in recovering and restoring the child to the guardianship of the society or agent, and in default shall be guilty of an offence and shall incur a penalty of not less than \$5 nor more than \$20.

**16.** Every person who by cruelty or neglect or by not providing proper housing, food or clothing for an immigrant child causes injury to the health of such child shall, in addition to any other penalty, be liable for the payment of all medical, hospital or other expenses necessarily incurred in restoring the child to health and such expenses shall be recoverable by the society or agent, or by any municipality, hospital or public institution paying for or furnishing medical, surgical or hospital treatment for such child.

Liability for hospital and medical expenses for ill-treated child.

**17.** Every society or agent contravening any of the provisions of this Act or the regulations in any case for which no penalty is otherwise provided shall incur a penalty of not less than \$20 nor more than \$500.

Penalties.

**18.** *The Ontario Summary Convictions Act* shall apply to prosecutions for offences against this Act.

Application of Rev. Stat. c. 90.

**19.** The Lieutenant-Governor in Council may make regulations,—

Regulations.

- (a) prescribing the forms for the making of returns by societies and agents and the time and manner of making and verifying the same;
- (b) for the examination and approval of the forms of contracts under which immigrant children are placed out by a society or agent and for prohibiting the placing out of immigrant children under contract not so approved;
- (c) for the appointment of such officers, clerks and servants as may be deemed necessary for carrying out the provisions of this Act;
- (d) prescribing the duties of an inspector and of the officers, clerks and servants so appointed;
- (e) for prescribing the terms and conditions upon which an immigrant child may be brought into Ontario by a society or agent and the proofs to be given as to previous character and the physical and mental condition of any child so brought;

(f)

(f) for prohibiting the bringing into Ontario of immigrant children who by reason of their physical or mental condition may become a charge upon public funds, or who by reason of previous character are likely to prove undesirable citizens;

(g) generally for the better carrying out of the provisions of this Act.

Rev. Stat.  
c. 231, ss. 31,  
33, 34, 35,  
repealed.

**20.** Sections 31, 33, 34 and 35 of *The Children's Protection Act of Ontario* are repealed.

Commence-  
ment of  
Act.

**21.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

## CHAPTER 71.

## An Act to amend The Forest Fires Prevention Act, 1917.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Forest Fires Prevention Act, 1924.* Short title.

2. Section 2 of *The Forest Fires Prevention Act, 1917*, is 1917, c. 54, s. 2, amended. amended by adding thereto the following clauses:

(c) "Department" shall mean Department of Lands and Forests; "Department."

(d) "Owner" shall include locatee, purchaser from the Crown, assignee, occupant, timber licensee, and any person having the right to cut timber and wood upon any land. "Owner."

3. Subsection 1 of section 7 of *The Forest Fires Prevention Act, 1917*, is amended by striking out the figures and letters "15th" in the second line and inserting in lieu thereof the figure and letters "1st." 1917, c. 54, s. 7, sub. 1, amended. "Close season."

4. Section 8 of *The Forest Fires Prevention Act, 1917*, is 1917, c. 54, s. 8, amended. amended by striking out the words and figures "incur a penalty not exceeding \$100" in the fourth and fifth lines and inserting in lieu thereof the words and figures "be guilty of an offence and shall incur a penalty of not less than \$25 and not more than \$300 for each such offence."

5. Section 14 of *The Forest Fires Prevention Act, 1917*, is 1917, c. 54, s. 14, repealed. repealed and the following substituted therefor:

14.—(1) The Lieutenant-Governor in Council may appoint constables for the enforcement of the provisions of this Act, and may appoint one or more officers or agents of the Department of Lands

and

and Forests justices of the peace for the purpose of taking cognizance of and dealing with offences against the provisions of this Act or the regulations made thereunder, and each officer and agent so appointed a justice of the peace shall have the jurisdiction of a justice of the peace in and for the territorial district specified in his commission.

Appoint-  
ment of  
constables  
by justice of  
the peace.

- (2) The minister may appoint one or more constables for a period not exceeding six months, for the carrying out of the provisions of this Act.

Arrests  
without  
warrant.

- (3) A constable appointed under this section may, without warrant, arrest any person found violating any provision of this Act and take him before a justice or justices of the peace and there make complaint.

Right to  
summon  
assistance  
at fires.

- (4) For the purpose of controlling and extinguishing any fire, any officer or other employee of the Department of Lands and Forests for the Province of Ontario may employ or summon the assistance of any male person between the ages of eighteen and sixty, excepting only trainmen, telegraphers and despatchers on duty, doctors and persons physically unfit.

Penalty for  
refusing to  
assist.

- (5) Every person who refuses or neglects to render assistance when required under any of the provisions of this section shall be guilty of an offence and shall upon summary conviction incur a penalty of not less than \$25 and not exceeding \$300 for such offence.

1917, c. 54,  
s. 17,  
amended.

**6.** Section 17 of *The Forest Fires Prevention Act, 1917*, is amended by adding thereto the following subsection:

Penalty for  
interfering  
with fire-  
fighting  
equipment.

- (2) Every person who shall without lawful authority destroy, injure, or remove any equipment placed in the forest for the purpose of protecting the forests from fire shall be guilty of an offence and shall incur a penalty of not less than \$25 and not exceeding \$300 for each such offence.

1917, c. 54,  
amended.

**7.** *The Forest Fires Prevention Act, 1917*, is amended by adding thereto the following sections:



- 17a. Every person who refuses or neglects to make proper effort to protect the property of which he is the owner against injury by fire shall be guilty of an offence and for each such offence shall incur a penalty of not less than \$25 and not more than \$300, and, in addition to the other penalties imposed by this Act, shall be liable for the expense incurred by the Department or any of its employees in an effort to protect against fire the property of the person thus in default and the amount of such expense shall be recoverable with costs in an action brought by the Crown. Penalty for neglecting to protect against fire.
- 17b.—(1) Every person clearing a right-of-way for any road, trail, telephone, telegraph, power or pipe line, tote-road, ditch or flume shall, as rapidly as the clearing or cutting progresses and the weather conditions permit, or at such other time as an authorized officer of the Department may direct, pile and burn on such right-of-way all refuse timber, brush or other inflammable material cut or accumulated thereon, all such right-of-way burning to be subject to the requirements of this Act in respect to burning permits. Destruction of refuse on clearing land for highway.
- (2) Any person who within three hundred feet of the right-of-way of any railway causes any accumulation of inflammable debris shall immediately pile and, subject to the requirements of this Act concerning permits, burn the same. Clearing away inflammable matter near right-of-way.
- (3) No person shall fell or permit to be felled trees or brush in such a manner that said trees or brush shall fall and remain on land not owned by the person felling or permitting the felling of such trees or brush. Timber to be cut to fall on owner's land.
- (4) Every person having charge of a camp, mine, saw-mill, portable or stationary engine using fuel other than oil and located within one-half mile of any forest or woodland shall have the area surrounding said camp, mine, sawmill or engine cleared of inflammable material for a distance of at least three hundred feet and such further distance as may in the opinion of the Provincial Forester, or other officer of the Department, be required. Clearing in neighbourhood of mills, etc.
- (5) No person shall within one-half mile of any village, town or city accumulate inflammable debris or permit any such accumulation to remain on any property owned by him or under his control. Accumulation of inflammable refuse.

Penalty.

- (6) Every person who violates any of the provisions of this section shall be guilty of an offence and for each such offence shall incur a penalty of not less than \$25 and not more than \$300.

Permit to travel in forest area.

- 17c.—(1) The Lieutenant-Governor in Council may, whenever he deems it necessary for the protection of any defined forest area within any fire district of Ontario, require that anyone wishing to enter and travel about in such area during the close season shall previously obtain a permit.

Issue of permit.

- (2) Such permit, called "travel permit," may be obtained without charge from the fire ranger of the place or from any other authorized person.

Entering area without permit.

- (3) Except as provided in subsection 4 hereof, no person shall travel about in such defined area without having previously obtained a permit.

Owners of other licenses not to require permits.

- (4) The holder of a hunting, guides', fishing or mining license shall not be required to obtain a travel permit but he shall produce his license whenever required by any fire ranger so to do, and shall give to any fire ranger on demand such information as to the routes followed and proposed to be followed by him and as to his camps and proposed camps and otherwise as the fire ranger may require.

Imprisonment.

- (5) Every person who violates any of the provisions of this section shall be guilty of an offence and for each such offence shall incur a penalty of not less than \$25 and not more than \$300.

Information to be given to fire rangers by tourists, etc.

- 17d. Persons using or travelling in the forest, shall upon request, give the fire rangers or other authorized officers of the Crown information as to name, address, routes to be followed, location of camps and any other information pertaining to the protection of the forest from fire, and any person who refuses to give the information required by this section shall be guilty of an offence and for each such offence shall incur a penalty of not less than \$25 and not more than \$300.

Imprisonment.

- 17e. Every person who violates any provision of this Act shall, in addition to the penalty otherwise provided in this Act, be liable to imprisonment for a period not exceeding ninety days.

Commencement of Act.

8. This Act shall come into force on the 1st day of May, 1924.

## CHAPTER 72.

An Act to amend The Dog Tax and Sheep  
Protection Act.*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 1 of section 9a of *The Dog Tax and Sheep Protection Act* as enacted by section 2 of *The Dog Tax and Sheep Protection Amendment Act, 1920*, is amended by adding <sup>1918, c. 46, s. 9a, (1920, c. 92, s. 2) amended.</sup> after the word, "village" in the first line the words "and in any city the council of which shall pass a by-law declaring that this section shall apply," so that the subsection will now read as follows:

- (1) In a town, township or village and in any <sup>Requirement as to dog tags.</sup> city the council of which shall pass a by-law declaring that this section shall apply every owner of a dog shall procure from the corporation a tag for each dog owned by him and shall keep such tag securely fixed on the dog at all times.

## CHAPTER 73.

## An Act respecting the Enrolment of Stallions.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Ontario Stallion Act, 1924.*

Stallion  
Enrolment  
Board.

**2.**—(1) The Lieutenant-Governor in Council upon the recommendation of the Minister of Agriculture may appoint four persons who, with the Director of the Live Stock Branch of the Department of Agriculture, shall constitute the Stallion Enrolment Board, hereinafter called "The Board."

Secretary  
and execu-  
tive officer.

(2) The Director of the Live Stock Branch of the Department of Agriculture shall be the secretary and executive officer of the Board.

Staff.

**3.** The Lieutenant-Governor in Council, on the recommendation of the Minister of Agriculture, may appoint competent persons to act under the direction of the Board and may fix such remuneration and allowance for necessary travelling expenses for members and inspectors of the Board as may be deemed desirable.

Enrolment  
compulsory.

**4.**—(1) No person shall stand, travel or offer for use or sale any stallion unless the same is pure bred, and until such stallion has been enrolled and the certificate of enrolment issued as hereinafter provided.

Proof for  
enrolment.

(2) In order to secure enrolment for any stallion, the owner of such stallion shall submit:—

(a) Evidence of breeding and ownership;

(b) The stallion for inspection at such times and places as may be fixed by the Board under the regulations of this Act.

(3) Upon the receipt of the report of inspection and the evidence of breeding and ownership and upon payment of the fee, the Board shall issue a certificate accordingly, except where in the opinion of the Board, the report of the inspectors would indicate that such stallion was unsuitable for use in the stud, and all certificates of enrolment and inspection must be renewed annually in accordance with the regulations and upon payment of the prescribed fee.

Certificate of enrolment.

**5.—**(1) Every stallion shall be enrolled in the name of the owner at the time of enrolment, and shall be entered in a register kept by the Board, and in case of a change of ownership the enrolment shall be deemed to be cancelled unless within thirty days thereafter evidence of the change of ownership satisfactory to the Board has been furnished to the Board, in which case a transfer certificate shall be issued by the Board.

Enrolment in name of actual owner.

(2) When a certificate of enrolment has been issued after the 1st day of August in any year, the enrolment and certificate of enrolment and inspection of the stallion shall remain in force until the 31st day of December in the next succeeding year, and when the enrolment has been made before the 1st day of August in any year the enrolment and certificate thereof shall remain in force until the 31st day of December next following.

Term of certificate and enrolment.

**6.** Service fees shall be collectable by stallion owners on such stallions as are enrolled at the time of service but no service fees shall be collectable on stallions that are not enrolled at the time of service.

Service fees.

**7.** In case of dissatisfaction the owner of any stallion may appeal to the Board from any inspection, and upon the owner depositing with the Board an amount sufficient in the opinion of the Board to cover the expenses of an additional inspection, the Board shall direct a further inspection which shall be final.

Inspection upon complaint to Board.

**8.—**(1) Any newspaper or other printed advertisement issued to advertise a stallion shall include in prominent type the grade of such stallion as fixed by the Board and the date of the expiration of the certificate.

Particulars to be stated in advertisement.

(2) Every poster or breeder's card issued shall contain a copy of the certificate of enrolment printed in bold face and conspicuous type and shall not contain any illustrations, pedigree or other matter which is untruthful or misleading.

In posters and breeder's card.

Certificate  
to be pro-  
duced on  
demand.

(3) Upon request the owner of the stallion shall exhibit to the owner of each mare, at the time of service, the original enrolment certificate issued for such stallion.

Evidence  
of offering  
stallion for  
service.

(4) Any bill, poster or other printed matter advertising any stallion for public service shall be evidence that such printed matter was issued to advertise the stallion named, with the consent of the owner of the said stallion and such advertising shall be *prima facie* evidence that such stallion was being offered for public service.

Fees.

9.—(1) The fees to be paid to the Board before the issue of any certificate shall be:

For enrolment before 1st May of each year...	\$ 2.00
For enrolment after 1st May of each year.....	4.00
For inspection at regular times.....	free
For special inspection.....	10.00

To be paid  
over to  
Treasurer.

(2) The fees received by the Board under this Act shall be paid over to the Treasurer of Ontario for the use of the Province.

Regulations.

10. The Board, subject to the approval of the Lieutenant-Governor in Council, may make such regulations as may be deemed proper and necessary for the better carrying out of the provisions of this Act.

Penalty.

11. Every person who is guilty of a contravention of any of the provisions of this Act shall incur a penalty of not less than \$25, nor more than \$100, recoverable under *The Ontario Summary Convictions Act*.

Commence-  
ment of  
Act.

12. This Act shall come into force on the 1st day of August, 1924.

## CHAPTER 74.

## An Act to amend The Natural Gas Conservation Act, 1922.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Natural Gas Act, 1924*. Short title.
2. Subsection 1 of section 9 of *The Natural Gas Conservation Act, 1922*, is repealed and the following substituted therefor: 1922, c. 23, s. 9, subs. 1, repealed.
  - (1) Nothing in *The Natural Gas Conservation Act, 1921*, or *The Natural Gas Conservation Act, 1922*, shall affect any existing contract or agreement between the owner of the land on which a producing gas well is situate and the person operating the same; provided nevertheless, that no such owner of land shall at any time consume more than a reasonable quantity of gas under the right given to him by any such contract or agreement, and the Natural Gas Commissioner at the request of either party may fix and determine from time to time what is a reasonable quantity in any case. Application of 1921, c. 17, and 1922, c. 23, to certain contracts.
  - (1a) After notice in writing naming such quantity has been given to any owner or left at his usual place of abode by the Commissioner, any refusal or neglect to comply with the terms thereof shall be an offence punishable in the manner provided by section 18 of *The Natural Gas Conservation Act, 1921*. Penalty for failure to comply with order of Commissioner.
3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 75.

## An Act to regulate the Boring and Protection of Wells.

*Assented to 17th April, 1924.*

**HIS** MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- Short title.      **1.** This Act may be cited as *The Well Drillers Act, 1924.*
- Interpretation.      **2.** In this Act,—
- “Commissioner.”      (a) “Commissioner” shall mean Natural Gas Commissioner, appointed under *The Natural Gas Conservation Act, 1921*, or this Act;
- “Inspector.”      (b) “Inspector” shall mean inspector appointed under *The Natural Gas Conservation Act, 1921*, or this Act;
- “Minister.”      (c) “Minister” shall mean Minister of Mines;
- “Owner.”      (d) “Owner” shall include lessee;
- “Regulations.”      (e) “Regulations” shall mean regulations made under the authority of this Act;
- “Well.”      (f) “Well” shall mean and include any well bored for oil or natural gas.
- Regulations.      **3.—(1)** The Minister may make regulations,—
- (a) requiring dry and abandoned wells to be plugged and protected;
- (b) prescribing the method and requirements to be observed in plugging and protecting any well;
- (c) respecting the method of boring wells and for the proper protection of wells during boring operations;
- (d)



(d) for the issue of licenses to persons boring wells and fixing the fee to be paid for any such license, also for suspension or cancellation of the same;

(e) requiring every person boring a well to furnish such reports and returns, geological and other information and specimens as may be prescribed by the regulations.

(2) Any regulation made by the Minister under the authority of subsection 1 may be general or particular in its application territorially or otherwise. Regulations may be general or particular.

4. The Minister may at all times give such directions in writing as he may deem necessary respecting the boring, protecting, plugging and closing of any well. Directions of Minister as to boring, etc.

5. A person shall not bore or undertake to bore a well after the date of the commencement of this Act unless he is the holder of a license from the Minister so to do. License required to bore.

6. The Lieutenant-Governor in Council may appoint a commissioner, and an inspector or inspectors, for the purpose of carrying out the provisions of this Act and any direction of the Minister made hereunder, and until any such appointment is made the Natural Gas Commissioner appointed under *The Natural Gas Conservation Act, 1921*, and the inspector appointed under the said Act shall be commissioner and inspector respectively for carrying out the provisions of this Act. Appointment of commissioner and inspectors.

7. An abandoned well shall not be plugged until the owner or other person in possession or control thereof shall have given the commissioner at least two weeks' notice by registered mail of the date on which the plugging is to be done, so as to enable the commissioner or inspector to be present and approve the method of plugging; and in the case of a gas well he shall, at least two weeks immediately before such date, close in the same in such a manner that no gas may escape. Notice.

8. Any person in possession or control as owner, agent, manager or otherwise of any well in which natural gas has been found, shall, unless such gas is utilized within two weeks of such discovery, confine the same in such well until such time as the gas is utilized; but this section shall not apply to any well which, in the opinion of the Minister, is not producing gas in marketable quantities and is being operated as an oil well. Duties of owner where natural gas not utilized within two weeks after discovery.

Abandonment of well.

**9.**—(1) Whenever any well is abandoned, it shall be the duty of the owner or the person in possession or control of such well, and of every person engaged or employed in removing the casing from or in plugging such well or in any work constituting an abandonment of such well, to plug or plug and cement the same in such manner as to keep all water in its place of origin and to prevent any fresh or salt water or other injurious substances from entering any oil or gas bearing rock, either from above or below such rock as may be further provided by regulations.

When well shall be deemed abandoned.

(2) Subject to the provisions of section 8, every well, which in the opinion of the inspector is not in operation, shall be deemed to be an abandoned well within the meaning of this Act.

Appeal to Minister.

(3) The owner or person in possession or control of any well may, within ten days after receiving notice from the inspector that in his opinion the well is abandoned, appeal to the Minister against the decision of the inspector.

Notice of appeal.

(4) The owner or person appealing shall give to the inspector notice in writing of the appeal.

Decision of Minister to be final.

(5) The decision of the Minister shall be final and shall not be subject to appeal.

Failure of owner to comply with provisions of section 9.

**10.** Whenever the owner or person in possession of or having the control of any well in which gas has been found fails to comply with the provisions of section 9 hereof within the time therein mentioned, the inspector appointed, as hereinafter provided, shall notify such person in writing to cause such gas to be so confined; and in the case of the failure of such person to comply with such notice within ten days of the date thereof, the inspector may enter upon the land upon which such well is situate and, either by himself, his agents or his employees, shall cause such gas to be shut in and confined in such well.

Where property injuriously affected by failure to plug abandoned well.

**11.**—(1) Whenever any person notifies the inspector in writing that any property in which he is interested, situate in the vicinity of any such abandoned well, is injuriously affected by the failure to plug any such well as provided in section 9, the inspector shall examine such abandoned well and ascertain whether it has been properly plugged according to the provisions of this Act and the regulations, and in case the inspector determines that such well has not been properly plugged he shall serve a notice on the owner thereof or upon any person having the control thereof, or upon any person who was engaged or employed in the work of removing the

casing from or in plugging such well, or in any work which constituted an abandonment of such well, requiring that such well be plugged within ten days from the receipt of the notice and specifying the method to be followed in the plugging thereof; and unless within the ten days such well is plugged according to the directions contained in the notice, the inspector, by himself, his agents or employees may plug such well or cause the same to be plugged according to the provisions of this Act.

(2) Where the inspector is of the opinion that the casing in any well, whether the well is abandoned or not, is admitting water to such an extent as to injure adjoining property, he may order the owner or person in possession or control to remove the pump or other obstruction therein, if any, so as to enable him to test the well, and the inspector may order the owner or other person to stop the leak if there be one, within the time named by the inspector. Inspection of well.

(3) The inspector may inspect any main, pipe or duct through which natural gas may be flowing, drawn or pumped or which is intended to be used for any such purpose, and may give notice in writing to the person or owner of the main, pipe or duct to remedy any defect found therein which permits or is likely to permit of the escape of gas. Inspection of main, pipe or duct.

(4) In case of default in compliance with such order within ten days after service of the same, the inspector may without further notice make such necessary alteration or repairs, or proceed to plug the well as provided in subsection 1. Where default is made.

(5) The expenses occasioned by or incidental to such examination and plugging may be recovered in the manner provided by section 12. Expenses, how recovered.

(6) The owner or person in possession or control of a well, gas main, pipe or duct, may, before the expiry of the time fixed by the inspector appeal from the order of the inspector as provided in subsection 3 of section 9, and the decision of the Minister shall be final and shall not be subject to appeal. Appeal from order to Minister.

**12.** The expenses incidental to or occasioned by the examination and repair of natural gas lines or plugging of any abandoned well, or by the confining or shutting in of the gas from any well by the inspector under the provisions of this Act, shall be paid to the inspector within ten days after notice in writing of the completion of the work and the amount of such expense has been given to the owner or other person having control of any such well, and upon failure to pay the same within such time the inspector shall give written notice Expenses of examination and repair, how paid.

of such failure to the clerk of the municipality in which such well is situate or such defect exists and of the amount payable, and the council of such municipality shall thereupon pay to the inspector such expenses and the same shall be added to the taxes upon any property of the owner of such well whether such well is situate on such property or not, unless the mineral rights in the land upon which such well is situate have been severed or reserved from such land, in which case such expenses shall be added to any taxes chargeable against the reserved mineral rights in the land upon which the well is situate or against any other property of the owner of such reserved mineral rights, and such expenses shall be entered on the collector's roll and be levied and collected in the same manner as other taxes, provided that where the municipality shall have paid or become liable for the expense of plugging an abandoned well, the corporation by its officers, servants or workmen may take possession of and remove and sell by public auction or private sale all casing, tubing, pumps and other equipment recovered from or connected with such well but any surplus proceeds of such sale over and above such expenses and costs of sale shall be repaid to the owner.

Inspector  
may require  
statutory  
declaration  
to be  
furnished.

**13.**—(1) The inspector may by notice in writing delivered to any person who has charge or control of the removal of the casing or plugging or abandonment of any well, or who was engaged or employed in removing the casing from or in plugging any such well or in any work constituting an abandonment of such well, require such person within ten days from the receipt of such notice to furnish a statutory declaration respecting such abandoned well to the inspector.

Declaration,  
what to  
contain.

(2) Such person shall within the ten days furnish such declaration to the inspector either by delivering the same into his hands or by mailing by registered post to his address; and the declaration shall identify such well and shall set out in detail the precise manner of and the materials and tools used in plugging the same.

Notice to  
owner  
where pipe  
defective.

**14.** Where the inspector finds that a line of pipe conveying gas from one locality to another is constructed or laid down in such a manner, or is so out of repair or otherwise defective, as to permit or be likely to permit of the escape of gas in considerable quantities, he may give to the owner or person in control of the line of pipe notice in writing to make the alteration or repairs prescribed in the notice within a stated time, and upon default in compliance with the terms of the notice, the Lieutenant-Governor in Council upon the recommendation of the Minister may suspend or revoke and annul any charter of incorporation or other authority under which the business of conveying gas in the line of pipe is carried on.

**15.**—(1) The inspector shall have authority to engage such agents or employees as he may deem necessary from time to time to carry out the requirements of this Act, and shall also be empowered from time to time and at all times by himself, his servants or employees to enter upon any land or property upon which any wells are being or have been drilled and to make such examinations, inspections, repairs and inquiries as may be necessary for carrying into effect the provisions of this Act.

Right of  
inspector  
to engage  
agents and  
employees.

(2) No action or other proceedings shall lie against any such commissioner or inspector, his agents or employees for any matter or thing done by them under the provisions of this Act.

No action  
to lie  
against  
commis-  
sioner or  
inspector.

**16.**—(1) Every person who contravenes any of the provisions of sections 8, 9 and 15 of this Act or of any of the regulations made under this Act, or who neglects or refuses to carry out any order or direction lawfully given or made under the authority of this Act or the regulations, shall in addition to any costs and expenses to which he may be liable under the provisions of section 12 incur a penalty of not less than \$10 nor more than \$100.

Liability of  
persons for  
contraven-  
tion of  
provisions of  
certain  
sections.

(2) The prosecution of any person under subsection 1 shall not affect the liability of the defendant in any action for damages or otherwise for injuries arising out of any such offence.

Liability of  
defendant.

(3) The penalties provided for by this section shall be recoverable under *The Ontario Summary Convictions Act*.

Penalties,—  
how recov-  
erable.  
Rev. Stat.  
c. 90.

**17.** *The Natural Gas and Oil Wells Act* and the Act amending the same, passed in 1916, chaptered 57, are repealed.

Rev. Stat.  
c. 250;  
1916, c. 57,  
repealed.

**18.** This Act shall come into force on the 1st day of July, 1924.

Commence-  
ment of  
Act.

## CHAPTER 76.

An Act to provide Compensation for Damage  
caused by Sulphur Fumes.*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Damage by Fumes Arbitration Act, 1924.*

Arbitrator,  
appointment  
of.      **2.** The Lieutenant-Governor in Council may from time to time appoint an arbitrator for the purposes of this Act and may limit his jurisdiction either territorially or as to subject matter, and may extend such limited jurisdiction or diminish it from time to time.

Where  
crops, etc.,  
damaged by  
sulphur  
fumes.      **3.**—(1) Except as provided by section 8, where damage is occasioned by sulphur fumes, arising from the smelting or roasting of nickle-copper ore, to crops, trees or other vegetation directly or indirectly, such damage may be determined by the arbitrator so appointed who shall have exclusive jurisdiction to determine the amount of such damage and to make an award.

Effect of  
remedies  
herein  
provided.      (2) The remedies herein provided shall be in lieu of all remedies whether in law or in equity to which any person would be entitled but for the passing of this Act and no action shall be taken by way of injunction or otherwise.

Notice of  
damage.      **4.**—(1) Notice of the damage shall be given by the person aggrieved to the person, company or corporation offending and to the arbitrator within seven days of such damage occurring, and in the absence of such notice the arbitrator may disallow any claim for compensation.

Investiga-  
tion.      (2) Upon receipt of such notice it shall be the duty of the arbitrator to make an investigation and keep a record of the facts as he finds them in connection with each complaint.

Assessment  
of damage  
by arbitra-  
tor.      (3) At any time before the 1st day of November of the year in which the damage is alleged to have occurred, the

person

person aggrieved shall have the right to appeal to the arbitrator to determine compensation and the arbitrator shall thereafter as soon as may be convenient, notify both parties, hear such evidence as may be available, assess the damage and make the award in writing.

(4) Nothing in this Act shall prevent the person aggrieved and the person, company or corporation offending from arriving at a mutually satisfactory settlement apart from the arbitrator. Agreements of settlement.

5. The award of the arbitrator shall be binding upon the parties and not subject to appeal or to be questioned or reviewed, restrained or removed by prohibition, injunction, *certiorari* or other process or proceeding in any court and on being filed in the office of the clerk of the county or district court such award shall, for the purpose of issuing execution thereon, have the same force and effect as a judgment of the said court. Effect of award.

6.—(1) A sum not exceeding \$5,000 in any year to cover the expenses of administering this Act, including the salary or other remuneration of the arbitrator, shall be payable annually to the Province by the company or companies smelting or roasting nickel-copper ore. Expenses, how repayable to Province.

(2) The arbitrator, at the close of each calendar year, shall assess and apportion the amount for which each company smelting or roasting nickel-copper ore is liable under subsection 1, among such companies, and the amount assessed against each company shall be payable to the Treasurer of Ontario within fifteen days after the mailing of a registered letter demanding payment thereof to the last known address of the company, but every assessment so made shall be subject to the approval of the Minister of Mines. Arbitrator to assess companies liable.

7. The Lieutenant-Governor in Council shall have power from time to time to make regulations generally for the better carrying out of this Act. Regulations.

8. *The Damage by Fumes Arbitration Act, 1921*, is repealed, but every claim heretofore made under the said Act of 1921 and any arbitrations commenced or which might have been commenced under section 8 of the said Act of 1921, shall be determined and carried on and concluded in the manner provided by the said repealed Act and by the arbitrator appointed under the said Act or by an arbitrator appointed by the Lieutenant-Governor in Council for that purpose. 1921, c. 85. repealed—saving as to pending proceedings.

9. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 77.

An Act to amend the Act for the Suppression of  
Foul Brood among Bees.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Foul Brood Act, 1924.*

Rev. Stat.  
c. 258,  
amended.      **2.** *The Foul Brood Act* is amended by adding thereto the following section:

Power  
to declare  
quarantine.

**4a.** For the better prevention of foul brood, the Lieutenant-Governor in Council may, on the recommendation of the Minister, declare a quarantine of bees at any point within the Province and may fix the duration of such quarantine and all other conditions in connection therewith, and any inspector appointed under this Act shall have full authority to inspect bees in such quarantine when directed so to do by the Minister.

Commence-  
ment of  
Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.



## CHAPTER 78.

## An Act to amend The Cemetery Act.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Cemetery Act, 1924*.

Short title.

2. Section 24 of *The Cemetery Act* as amended by section 4 of *The Cemeteries Amendment Act, 1921*, and section 3 of *The Cemetery Amendment Act, 1923*, is repealed and the following substituted therefor:—

Rev. Stat.,  
c. 261, s. 24,  
of amended.

- 24.—(1) Where the owner of a cemetery cannot be found or is unknown, or is unable to maintain it, the council of the local municipality in which the cemetery is situate shall be charged with the duty of maintaining it and the corporation of the local municipality shall for the purposes of this Act be deemed to be the owner of the cemetery.
- (2) The council of every county may appoint one or more local inspectors who shall have the duties and powers within the municipality, of inspectors employed by the Lieutenant-Governor in Council under the provisions of section 10a.
- (3) Where the council of a municipality neglects or refuses to properly maintain a cemetery under the provisions of this section, any inspector appointed under section 10a, or under subsection 2 of this section, or the corporation of the county, or the Provincial Board of Health, may apply to the Supreme Court by way of originating notice according to the practice of the Court, for an order directing the municipal corporation in default to do whatever should be done by the owner of a cemetery for the proper maintenance thereof, and in case of disobedience to any such order the municipal corporation so in default and every member of the council

When  
municipality  
to maintain  
cemetery.Inspectors,  
appoint-  
ment of.Refusal or  
neglect to  
maintain  
cemetery.

of such corporation shall be liable as for contempt of court and punishable accordingly; provided that no member of the council shall be held so liable who proves to the satisfaction of the court that he was not a consenting party to such default and did everything in his power to secure the carrying out of the directions contained in the order.

Commence-  
ment of Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 79.

An Act to amend The Ditches and  
Watercourses Act.*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Ditches and Watercourses Act*, 1924. Short title.

2. Subsection 1 of section 5 of *The Ditches and Water-* Rev. Stat.  
c. 260, s. 5.  
*courses Act* is amended by adding at the end thereof the following words: "And in case another engineer is appointed the clerk of the municipality forthwith thereafter shall give notice of such appointment to the former engineer." subs. 1,  
amended.

3. Subsection 2 of section 14 of *The Ditches and Water-* Rev. Stat.  
c. 260, s. 14.  
*courses Act* is repealed and the following substituted therefor: subs. 2,  
repealed.

(2) Upon the receipt of the same by the engineer he shall give to the clerk not less than ten clear days' notice in writing by registered letter addressed to him at his last known address of the time when and the place where he will attend in answer to the requisition.

4. Subsection 3 of section 16 of *The Ditches and Water-* Rev. Stat.  
c. 260, s. 16,  
*courses Act* is amended by striking out the words, "thirty days" in the third line and substituting therefor the words, "sixty days." subs. 3,  
amended.

5. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-  
ment of  
Act.

## CHAPTER 80.

## An Act to amend The Ontario Game and Fisheries Act.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Ontario Game and Fisheries Act, 1924.*

Rev. Stat.  
c. 262,  
s. 4, subs. 1, amended.      **2.** Subsection 1 of section 4 of *The Ontario Game and Fisheries Act*, is amended by adding thereto the following clause:

Varying conditions.      (d) Varying the conditions of section 65 where conditions may warrant.

Rev. Stat.  
c. 262,  
s. 8, cl. c,  
repealed.      **3.** The clause lettered *c* in section 8 of *The Ontario Game and Fisheries Act*, as amended by subsection 1 of section 4 of the Act passed in the year 1916, chaptered 60, is repealed and the following substituted therefor:

Varying close season.      (c) Varying the close season in all parts of the Province where local conditions or climatic conditions will warrant a change but such variations shall not extend beyond one season.

Rev. Stat.  
c. 262, s. 10,  
subs. 1, cl. d,  
(1921, c. 87,  
s. 3, subs. 2),  
repealed.      **4.** The clause lettered *d* in subsection 1 of section 10 of *The Ontario Game and Fisheries Act* as re-enacted by subsection 2 of section 3 of *The Ontario Game and Fisheries Act, 1921*, and amended by section 3 of *The Ontario Game and Fisheries Act, 1922*, is repealed and the following substituted therefor:

Grouse, etc.      (d) Any ruffed grouse, commonly known as partridge, except from the 15th day of October to the 20th day of November in each year, both days inclusive, and no person shall take, kill or have in possession any more than ten partridge in any one year.

5.—(1) Subsection 4 of section 11 of *The Ontario Game and Fisheries Act*, as re-enacted by subsection 1 of section 6 of *The Ontario Game and Fisheries Act, 1920*, is repealed and the following substituted therefor: Rev. Stat. c. 262, s. 11, subs. 4, (1920, c. 97, s. 6, subs. 1), repealed.

- (4) No muskrat shall be shot or speared at any time nor shall any muskrat or beaver house or beaver dam be cut, speared, broken or destroyed at any time and this shall include all muskrat burrows and runways between a muskrat house and adjacent waters, and no trap shall be set or placed closer than five feet to a muskrat or beaver house. Muskrat houses, etc.

(2) Subsection 7 of the said section 11 as re-enacted by subsection 2 of section 6 of *The Ontario Game and Fisheries Act, 1920*, is repealed and the following substituted therefor: Rev. Stat. c. 262, s. 11, subs. 7, (1920, c. 97, s. 6, subs. 2), repealed.

- (7) No fisher, marten, mink or raccoon shall be hunted, taken or killed or had in possession of any person between the 31st day of March and the 1st day of November following. Close season for fisher, marten, etc.

6.—(1) Subsection 1 of section 15 of *The Ontario Game and Fisheries Act*, is repealed and the following substituted therefor: Rev. Stat. c. 262, s. 15, subs. 1, repealed.

- (1) It shall not be lawful for any person to take or kill, or attempt to take or kill any game by use of poison, or for a trapper to be in possession of poison but this shall not apply to trappers setting poison for the purpose of taking wolves, if in possession of a permit issued by the Department. Poison,—use of prohibited.

(2) The said section 15 as amended by section 9 of *The Ontario Game and Fisheries Act, 1921*, and section 5 of *The Ontario Game and Fisheries Amendment Act, 1922*, is further amended by adding thereto the following subsection: Rev. Stat. c. 262, s. 15, amended.

- (3) It shall not be lawful for any person at any time to use a snare in the county of Lennox and Addington for the purpose of taking game which shall include rabbits. Use of snare prohibited in certain county.

7. Section 21 of *The Ontario Game and Fisheries Act* as amended by section 10 of *The Ontario Game and Fisheries Act, 1919*, is further amended by adding thereto the following subsection: Rev. Stat. c. 262, s. 21, amended.

- (3) It shall not be lawful for any person at any time to carry a loaded shotgun or rifle in or on, or discharge the same from a motor car or other vehicle and a Carrying loaded gun in vehicle prohibited.

shotgun

shotgun or rifle carrying loaded shells or cartridges in the magazine shall be deemed to be loaded within the meaning of this subsection.

Rev. Stat. c. 262, s. 38, subss. 2, 3, 4, (1922, c. 97, s. 6), repealed. **8.** Subsections 2, 3, and 4 of section 38 of *The Ontario Game and Fisheries Act* as enacted by section 6 of *The Ontario Game and Fisheries Amendment Act, 1922*, are repealed.

Rev. Stat. c. 262, s. 48, subss. 1, cl. a, repealed. **9.—(1)** The clause lettered *a* in subsection 1 of section 48 of *The Ontario Game and Fisheries Act* as amended by subsection 1 of section 23 of the Act passed in the year 1916, chaptered 60, and by subsection 1 of section 12 of *The Ontario Game and Fisheries Act, 1921*, is repealed and the following substituted therefor:

To non-resident to shoot birds.

- (a) A person not resident in Ontario to hunt and shoot game birds and rabbits, and the fee for such license shall be \$20 together with a fee for issuing the same which shall be determined from time to time by the Lieutenant-Governor in Council;

To non-resident to hunt and shoot.

- (aa) A person not resident in Ontario to hunt and shoot, and the fee for such license shall be \$40 together with a fee for the issuing of the same which shall be determined from time to time by the Lieutenant-Governor in Council.

Rev. Stat. c. 262, s. 48, subss. 1, cl. b, 48 repealed. (2) The clause lettered *b* in subsection 1 of the said section 48 as amended by section 7 of *The Ontario Game and Fisheries Act, 1918*, and by subsection 2 of section 12 of *The Ontario Game and Fisheries Act, 1921*, is repealed and the following substituted therefor:

To resident to hunt deer.

- (b) A resident of Ontario to hunt deer, and the fee for such license shall be \$3.50, together with a fee for the issuing of the same which shall be determined from time to time by the Lieutenant-Governor in Council;

To organized camps.

- (bb) To organized hunting camps of residents of not less than six in number, and one license for every six holders of resident deer licenses in organized hunting parties, and the fee for such license shall be \$3.50 together with a fee for the issuing of the same which shall be determined from time to time by the Lieutenant-Governor in Council.

Rev. Stat. c. 262, s. 48, subss. 1, cl. c, 48 repealed. (3) The clause lettered *c* in subsection 1 of the said section 48 is repealed and the following substituted therefor:

(c)

- (c) A resident of Ontario to hunt moose, reindeer or caribou, and the fee for such license shall be \$5.50 together with a fee for the issuing of the same which shall be determined from time to time by the Lieutenant-Governor in Council.
- To resident to hunt moose, reindeer or caribou.

**10.** The clause lettered *d* in section 49 of *The Ontario Game and Fisheries Act* as re-enacted by section 13 of *The Ontario Game and Fisheries Act, 1920*, and amended by subsection 3 of section 13 of *The Ontario Game and Fisheries Act, 1921*, is further amended by adding at the end thereof the following words "for a non-resident to purchase direct from fur farmers operating under a Fur Farmer's Permit, registered ranch raised fox, to be known as 'non-resident fox license,' and the fee for the same shall be \$1."

Rev. Stat. c. 262, s. 49, cl. d, amended.

**11.** Subsection 2 of section 61 of *The Ontario Game and Fisheries Act*, is repealed and the following substituted therefor:

Rev. Stat. c. 262, s. 61, subs. 2, repealed.

- (2) An overseer shall have the authority of a constable for the purposes of this Act and the regulations and shall have authority to stop and search, without a search warrant, any vehicle, boat or launch where the officer has reasonable grounds to believe such vehicle, boat or launch contains any fish or game illegally taken.
- Overseer's powers as constable.

**12.** This Act shall come into force on the 1st day of June, 1924.

Commencement of Act.

## CHAPTER 81.

## An Act to encourage the Destroying of Wolves.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

- Short title.      **1.** This Act may be cited as *The Wolf Bounty Act, 1924*.
- Interpreta-      **2.** In this Act and in the regulations,—  
tion.
- “Depart-      (a) “Department” shall mean Department of Game  
ment.”      and Fisheries;
- “Provisional      (b) “Provisional Judicial District” shall include the  
Judicial      provisional county of Haliburton;  
District.”
- “Regula-      (c) “Regulations” shall mean regulations made by the  
tions.”      Lieutenant-Governor in Council, under the authority  
of this Act.
- Regulations.      **3.** The Lieutenant-Governor in Council may make such  
regulations as may be deemed necessary or desirable for the  
administration and enforcement of this Act.
- Promulga-      **4.** The regulations shall come into force upon publication  
tion of      thereof in the *Ontario Gazette*, or upon such later date as may  
regulations.      be stated.
- Proof of      **5.** In any county where a person who has killed any wolf  
killing      and produces the whole skin of same before the treasurer of  
by applicant      such county, or before a police magistrate, or before such  
for bounty.      officer as the Department may appoint, within a period of  
six months after the killing of such wolf, together with an  
affidavit in a prescribed form, which must state the place  
where and the date when the wolf was killed, together with  
such other particulars as may be demanded, the treasurer,  
police magistrate, or other officer shall give to the person  
producing such skin a certificate in a prescribed form provided  
by the Department.
- Bounties      **6.** Upon the delivery of such certificate by the person  
payable by      named therein to the treasurer of the county, together with the  
county.

whole



whole skin of the wolf, within a period of one month from the date of the certificate, the treasurer shall pay to such person the sum of \$15 as a bounty on a timber wolf, and \$10 as a bounty on a brush wolf which is three months of age or over, and \$5 as a bounty on timber and brush wolf pups under the age of three months.

7. Upon the delivery of said certificate, completed to the satisfaction of the Department, together with the whole skin of the wolf to the Department, the corporation of the county shall be entitled to receive forty per centum of the sum so paid, out of such money as may from time to time be appropriated by the Legislature for the payment of wolf bounty, but before payment is made to the county the Department shall be satisfied that the bounty has been correctly paid, and the decision of the Department as to the age and class of wolf shall be final.

Repayment to county by Province.

8. Where any wolf has been killed in a provisional judicial district, the skin may be produced before a police magistrate, a district warden for the Department, the clerk of the district court, or such officer as the Department may appoint.

Proof of killing, etc., in provisional judicial district.

9.—(1) Upon the like proof as set forth in section 5, the officer before whom the skin is produced may give the certificate mentioned in section 5, and upon the delivery of such certificate, which has been completed in a manner satisfactory to the Department, together with the whole skin of the wolf, the person named in the certificate shall be entitled to receive out of such moneys as may be appropriated by the Legislature for the payment of wolf bounty, the sum of \$15 as a bounty on a timber wolf, and \$10 as a bounty on a brush wolf which is three months of age or over, and \$5 as a bounty on timber and brush wolf pups under the age of three months.

Certificate.

(2) All payments for bounties on wolves under or over the age of three months shall be subject to the decision of the Department, whose decision shall be final.

Age to be determined by Department.

10. Where a claim is made for the payment of bounty for any wolf killed in a Provincial park, the affidavit may be taken and the certificate may be given by the superintendent of such park, or before such officer named in section 8.

In Provincial parks

11. Before payment of the bounty to the corporation of the county or directly to the person killing the wolf, the whole skin shall be delivered to the Department or to such person or persons as the Department may designate for the

Disposal of skin.

purpose,

purpose, and shall become the property of the Crown, and may be disposed of in such manner as the Lieutenant-Governor in Council may prescribe.

Claims may  
be paid not-  
withstanding  
errors in  
proofs.

**12.** In case of any claim heretofore or hereafter made, whenever the Department is satisfied that the person killing any wolf or the corporation of the county which is paid a wolf bounty is justly entitled to receive the bounty, the Department may make requisition on the Treasurer of Ontario, and a cheque shall be issued in payment thereof, notwithstanding any defect in the affidavit or certificate, or any doubt as to the authority of the officer taking such affidavit or giving such certificate, and in such case the Provincial Auditor shall forthwith, without further audit or examination, countersign such cheque.

Rev. Stat  
c. 264,  
repealed.

**13.** *The Wolf Bounty Act*, being chapter 264 of the Revised Statutes of Ontario, 1914, and the amendments thereto are hereby repealed.

Commence-  
ment of  
Act.

**14.** This Act shall come into force on the 1st day of June, 1924.

## CHAPTER 82.

## An Act to amend the School Laws.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The School Law Amendment Act, 1924.* Short title.

2.—(1) The clause lettered *d* in subsection 1 of section 6 of *The Department of Education Act*, is repealed and the following substituted therefor:— Rev. Stat. c. 265, s. 6, subs. 1, cl. d. repealed.

(d) Subject to the regulations to apportion all sums of money appropriated as a special grant for urban public and separate schools among the several cities, towns, and villages having regard to the value of the property liable to taxation for school purposes, the expenditure of the board upon education, and to such other considerations as in the opinion of the Minister, should affect such apportionment. Apportionment of special school grants.

(2) The clause lettered *g* in subsection 1 of the said section 6 as re-enacted by section 2 of *The School Law Amendment Act, 1922*, is repealed and the following substituted therefor:— Rev. Stat. c. 265, s. 6, subs. 1, cl. g. (1922, c. 98, s. 2), repealed.

(g) Subject to the regulations to apportion all sums of money appropriated as a general grant for rural public and separate schools among such rural schools having regard to the value of the property liable to taxation for school purposes, the attendance at the schools, the expenditure of the board upon education, and to such other considerations as in the opinion of the Minister, should affect such apportionment. Apportionment of grant for rural schools.

(i) A statement showing the amount apportioned to every rural public school and to every separate school under clause *g* shall be laid before the Assembly within ten days after

the

the commencement of the Session held in the year next after that in which the apportionment takes place.

Rev. Stat.  
c. 265, s. 6,  
subs. 1, cl. *jj*, 6 as enacted by section 3 of *The School Law Amendment Act*,  
(1922, c. 98,  
s. 3),  
repealed. (3) The clause lettered *jj* in subsection 1 of the said section

1920, c. 100,  
s. 10,  
amended. 3. Section 10 of *The Public Schools Act*, 1920, is amended  
by adding thereto the following subsection:—

Disposal of  
school lands  
by boards. (2) Notwithstanding anything in subsection 1, lands  
originally granted or conveyed by the Crown for  
common school purposes and held by the trustees  
of a school section or municipality may be leased,  
sold or otherwise disposed of with the approval of  
the Lieutenant-Governor in Council and upon  
such conditions as to the investment or application  
of the proceeds or otherwise as may be prescribed  
in the order granting such approval.

1920, c. 100,  
s. 20, subs.  
20, cl. *b*,  
repealed. 4. The clause lettered *b* in subsection 20 of section 20 of  
*The Public Schools Act*, 1920, is repealed and the following  
substituted therefor:—

School arbit-  
rators in  
districts. (b) The arbitrators shall be,—one person appointed by  
each of the councils of the organized municipalities  
concerned, the inspector of the district and the  
judge of the county or district court or some person  
named by him, and they shall have all the powers  
of the board of arbitrators mentioned in the pre-  
ceding subsections of this section, all of which, so  
far as applicable, shall apply to the subject matter  
of this subsection.

1920, s. 100,  
s. 21, subs. 1,  
amended. 5. Subsection 1 of section 21 of *The Public Schools Act*,  
1920, is amended by striking out the figures “21” at the end  
of the subsection and inserting in lieu thereof the figures “20”.

1920, c. 100,  
s. 22, subs. 1,  
repealed. 6. Subsection 1 of section 22 of *The Public Schools Act*,  
1920, is repealed and the following substituted therefor:—

Appeals to  
Minister  
from school  
arbitrators  
in case of  
union school  
section. (1) Where territory which it is proposed to form into a  
union school section or where the union school  
section which it is proposed to alter or dissolve  
comprises an organized or unorganized township  
or any part thereof, and an urban municipality, or  
lies in more than one county, or in a district, the  
board, or any five ratepayers in the union school  
section or territory concerned, or any inspector or  
inspectors may at any time appeal to the Minister

from

from any award made by arbitrators for or against the formation, alteration or dissolution of such section or against the refusal or neglect of the council or councils concerned to appoint arbitrators as provided in section 20.

**7.** Subsection 2 of section 22 of *The Public Schools Act, 1920*, c. 100, 1920, is amended by striking out the figures "21" in the fifth line, and inserting in lieu thereof the figures "20". s. 22, subs. 2. amended.

**8.** Subsection 4 of section 31 of *The Public Schools Act, 1920*, c. 100, 1920, is amended by adding at the end thereof the words, "nor in any case to the lands of residents in a consolidated school section," so that the subsection will now read as follows:— s. 31, subs. 4. amended.

- (4) A person whose place of residence is distant more than three miles by the nearest public highway from the school of the section shall be exempt from all rates for school purposes unless a child of such person attends such school; but this exemption shall not apply to lands liable to taxation for school purposes owned by such person within such distance, nor to the lands of non-residents, nor to the lands of residents in the section who have no children of school age, nor in any case to the lands of residents in a consolidated school section. Exemption from rate on account of distance.

**9.** The clause lettered *a* in subsection 1 of section 42 of *The Public Schools Act, 1920*, c. 100, 1920, is amended by adding after the word "site" at the end of the clause the words "or building." s. 42, subs. 1. cl. a. amended.

**10.** Section 76 of *The Public Schools Act, 1920*, c. 100, 1920, is amended by adding thereto the following clause: s. 76. amended.

- (z) In cities of 100,000 population and over, to provide, if deemed expedient, and subject to the approval of the Minister, special classes for the instruction of blind or deaf and dumb pupils residing within the municipality. Special classes for blind and deaf.

**11.** The clause lettered *b* in section 81 of *The Public Schools Act, 1920*, c. 100, 1920, is amended by inserting at the commencement of the said clause the words, "in the case of a rural school section," so that the said clause will now read as follows:— s. 81, cl. b. amended.

- (b) In the case of a rural school section to call a special meeting of the board at the request in writing of two trustees or of five electors, Calling special meetings.

specifying

specifying the objects for which the meeting is to be held, and to state the objects of the meeting in the notice calling the same.

1920, c. 100,  
s. 95, subs.  
3, amended.

**12.** Subsection 3 of section 95, of *The Public Schools Act, 1920*, is amended by substituting the word "subsections" for the word "subsection" in the third and fourth lines, and by inserting the word and figure "and 2" after the figure "1" in the fourth line, so that the subsection will now read as follows:—

Apportion-  
ment where  
section in  
two or more  
counties.

- (3) In case of a union school section composed of parts of two or more counties, the council of each county shall pay a proportion of the whole sum required to be paid under subsections 1 and 2 which bears the same ratio to that sum as the assessed value of the part of the section in the county bears to the assessed value of the whole section, such assessed value to be according to the last revised assessment rolls of the local municipalities in which the section is situate.

1919, c. 75,  
s. 2,  
amended.

**13.** Section 16 of *The Public Schools Act* as enacted by section 2 of *The Consolidated Schools Act, 1919*, and amended by sections 11 and 13 of *The School Law Amendment Act, 1920*, and sections 16 and 17 of *The School Law Amendment Act, 1922*, is further amended by adding thereto the following subsection:

Question of  
dissolution  
to be sub-  
mitted to  
electors.

- (24) If, within two years after the approval of the Minister in accordance with subsection 10, the ratepayers have not voted the money required by the trustees for the erection of the school, the question of dissolving the consolidation shall be submitted by the Board to a vote of the qualified electors in the same manner, as nearly as may be, as that provided for the election of trustees, and if a majority of the electors who vote on the question are in favour of dissolving the consolidation, the Minister may approve of the dissolution and the return of the sections to their former status.

Rev. Stat.  
c. 267, s. 5,  
amended.

**14.** Section 5 of *The Continuation Schools Act* as amended by section 11 of *The School Law Amendment Act, 1921*, is further amended by adding thereto the following subsection:

Agreements  
between  
council and  
continuation  
school board  
validated.

- (4) The council of a county or of any municipality may enter into an agreement with the continuation school board of any other municipality for the payment of the whole or part of any fees imposed on non-resident pupils attending a continuation school under the control of the board of such municipality, and all agreements heretofore made by the

council

council of a county or of any municipality for such purpose and all payments heretofore made under agreements or otherwise, are hereby validated and confirmed and declared to have been legally made.

**15.** The clause lettered *a* in subsection 1 of section 7 of *The High Schools Act*, is amended by striking out the words Rev. Stat. c. 268, s. 7, subs. 1, cl. 'a,' amended. "containing at least one thousand inhabitants" in the second line, and by striking out the word "thereafter" in the sixth line and inserting in lieu thereof the word "already" so that the clause will now read as follows:

- (a) for a municipality not separated from the county and the council of any county may in like manner with the approval of the Lieutenant-Governor in Council, discontinue at the end of the current calendar year any high school district already established.

**16.** Subsection 1 of section 34 of *The High Schools Act*, Rev. Stat. c. 268, s. 34, subs. 1, (1921, c. 89, s. 14) repealed. as enacted by section 14 of *The School Law Amendment Act, 1921*, is repealed and the following substituted therefor:—

- (1) Where the cost of maintenance of county pupils at a high school exceeds the amount apportioned by the Minister and the fees received, the council shall in lieu of the equivalent of the amount apportioned out of the legislative grant, pay to the board a sum to be calculated as follows:—
- County grant for maintenance of county pupils at high school.

To eighty per centum of the total amount expended for permanent improvements (including amounts expended in paying off debentures and in providing for the interest payable on such debentures) shall be added the total cost of maintenance of the high school; the amount apportioned out of the legislative grant, and any sums received for fees shall then be deducted; the remainder shall be divided by the total number of days' attendance of all pupils at the school during the next preceding three years, and the resulting amount shall be multiplied by the total number of days' attendance of county pupils during the same three years; and to the resulting amount there shall be added the share of the cost of education of county pupils which the town, village or township which constitutes the high school district paid to the county during the preceding

year as included in the rates levied by the county council, according to the relative equalized value, and the total amount so ascertained shall be the sum payable by the council to the board.

Rev. Stat.  
c. 268, s. 42,  
(1921, c. 89,  
s. 15),  
amended.

**17.** Section 42 of *The High Schools Act*, as enacted by section 15 of *The School Law Amendment Act, 1921*, is amended by adding thereto the following subsection:—

Agreements  
as to fees  
of non-  
resident  
pupils.

- (5) The council of a county or of any municipality may enter into an agreement with the board of education or the high school board of any other municipality for the payment of the whole or part of any fees imposed on non-resident pupils attending a high school, collegiate institute or technical school under the control of the board of such municipality, and all agreements heretofore made by the council of a county or of any municipality for such purpose and all payments heretofore made under agreements, or otherwise, are hereby validated and confirmed and declared to have been legally made.

1921, c. 90,  
s. 6,  
amended.

**18.** Section 6 of *The Vocational Education Act, 1921*, is amended by adding thereto the following subsection:—

Admission  
of pupils  
from auxil-  
iary training  
classes

- (5) Subject to the regulations, pupils of thirteen years of age and over, who have been in attendance in auxiliary training classes, or who are eligible for admission to such classes, may, with the approval of the Minister and upon an examination conducted subject to his direction, be admitted to special industrial classes established by a board for the purpose of giving vocational instruction to such pupils where it is found that they may be benefited by it.

Rev. Stat.  
c. 277, s. 5a,  
(1920, c. 99,  
s. 8),  
repealed.

**19.** Section 5a of *The School Sites Act* as enacted by section 8 of *The School Law Amendment Act, 1920*, is repealed and the following substituted therefor:

Acquiring  
land outside  
city for  
school sites.

- 5a.—(1) The board of education of a city having a population of 50,000 or over or any advisory committee appointed by the board under *The Vocational Education Act, 1921*, may acquire by purchase or otherwise any land in an adjacent municipality which the board or such advisory committee deems it desirable to acquire, in view of the probable further extension of the limits of the city, so as to include such land, but no land shall be acquired



under this section at a greater distance than one mile from the limits of the city, and all land so acquired, so long as it is held by the board or such advisory committee, shall be subject to municipal assessment and taxation in the municipality in which it is situate.

- (2) Nothing contained in subsection 1 shall be deemed to authorize the expropriation of land by the board or the advisory committee of such city in any other municipality. Expro-  
priation  
not  
authorized.
- (3) Where a board or an advisory committee has acquired land in any municipality under the provisions of subsection 1, and the same appears to the board or the advisory committee to have become undesirable for school purposes, the board or the advisory committee may sell, lease, or otherwise dispose of the same as it may deem expedient. Power to  
dispose of  
sites so  
acquired.
- (4) This section shall take effect and shall apply as to all lands so acquired by the board of education or the advisory committee of a city since the 1st day of January, 1910. Section to be  
retroactive

**20.** This Act shall come into force on the 1st day of September, 1924. Commence-  
ment of  
Act.

## CHAPTER 83.

An Act respecting Medical and Dental Inspection  
of Pupils in Public and Separate Schools.*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The School Medical and Dental Inspection Act, 1924*.

Rev. Stat.  
c. 265, s. 5,  
amended.

**2.** Section 5 of *The Department of Education Act* is amended by adding thereto the following clause:

Medical  
and dental  
inspection.

(ee) For the medical and dental inspection of pupils in public and separate schools under agreement between the local boards of health and school boards approved of by the Minister and by the Minister of Health.

1920, c. 100.  
s. 76,  
amended.

**3.** Section 76 of *The Public Schools Act, 1920*, is amended by adding thereto the following clause:

Medical  
and dental  
inspection.

(jj) Subject to the regulations to provide and pay for such medical and dental inspection of the pupils by officers of the local boards of health.

Rev. Stat.  
c. 218,  
amended.

**4.** *The Public Health Act* is amended by adding thereto the following section:

## MEDICAL AND DENTAL INSPECTION IN SCHOOLS.

Boards  
to provide  
for medical  
and dental  
inspection.

85a. Subject to any regulations made under *The Department of Education Act* the local board, upon such terms and conditions as may be agreed upon with any public or separate school board, shall provide medical and dental inspection for the pupils in the schools of the board and render such other services relating to the health and well-being of the pupils as any such regulation may require and as may be directed by the Minister of Health.

Commence-  
ment of  
Act.

**5.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 84.

An Act respecting School Accommodation for  
School Section No. 17, Westminster.*Assented to 17th April, 1924.*

**W**HEREAS there is an urgent necessity for more adequate Preamble.  
 school accommodation for continuation school purposes  
 in school section 17 of the township of Westminster; and  
 whereas the site which has been fixed upon by a board of  
 arbitrators has been objected to by the ratepayers and in  
 consequence they have failed to provide the money for the  
 purchase of the site and the erection of a building; and  
 whereas the board has petitioned for relief and it is expedient  
 to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and  
 consent of the Legislative Assembly of the Province of  
 Ontario, enacts as follows:—

**1.** This Act may be cited as *The Westminster Continuation* Short title.  
*School Act, 1924.*

**2.** The Minister of Education shall have and he is hereby Minister  
may re-open  
matter of  
site.  
 given authority to declare that the award of the arbitrators  
 is null and void if and when the school board satisfies him  
 that the ratepayers have approved of a site that has also  
 received the approval of the inspector and that the approval  
 of the ratepayers has also been given for the raising of the  
 required amount by the issue of debentures for the purchase  
 of the site and the erection of the building.

**3.** This Act shall come into force on the day upon which Commence-  
ment of  
Act.  
 it receives the Royal Assent.

## CHAPTER 85.

## An Act to amend The University Act.

*Assented to 17th April, 1924*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

- Short title.      **1.** This Act may be cited as *The University Act, 1924*.
- Rev. Stat.  
c. 279, s. 19,  
amended.      **2.** Section 19 of *The University Act* is amended by adding thereto the following subsections:
- Nomination  
of certain  
members of  
Board of  
Governors  
by Alumni.      (2) The Alumni Federation of the University of Toronto may nominate eight of the twenty-two persons so to be appointed by the Lieutenant-Governor in Council and such nomination shall be by general vote of the members of the Alumni Federation of the University of Toronto who are graduates of the University, and such vote shall be taken by closed voting papers mailed or delivered by the members to the secretary-treasurer of the said Federation at such time and subject to such regulations as may be made by the Alumni Council of the said Federation with the approval of the Lieutenant-Governor in Council.
- Nominees to  
be appointed  
as vacancies  
arise.      (3) Vacancies hereafter occurring by the expiry of the term of office or by death or resignation or from any other cause among the appointed members may be filled from among the persons so nominated until eight such persons have been appointed, and in the case of vacancies caused by death or resignation or from any cause other than the expiry of the term of office the member appointed shall hold office for the remainder of the term for which the member whose place is to be filled was appointed.
- Who in-  
eligible for  
nomination.      (4) The persons declared to be ineligible for appointment as members of the Board shall not be eligible for nomination by the Alumni Federation of the University of Toronto.

3. *The University Act* is amended by adding thereto the following section: Rev. Stat.  
c. 279, s. 32,  
amended.

32a. The Board shall have, and shall as from the 15th day of June, 1906, be deemed to have had the power to—

- (i) purchase or otherwise acquire any invention or any interest therein, or any rights in respect thereof, or any secret or other information as to any invention, and apply for, purchase or otherwise acquire any patents, interests in patents, licenses and the like conferring any exclusive or non-exclusive or limited right to make or use or sell any invention or inventions; and use, exercise, develop, dispose of, assign or grant licenses in respect of, or otherwise turn to account the property rights or information so acquired; and generally possess, exercise and enjoy all the rights, powers and privileges which the owner of any invention or any rights in respect thereof, or the owner of a patent of invention or of any rights thereunder may possess, exercise and enjoy;
- (ii) apply for, purchase or otherwise acquire any trade marks or trade names and the like or any interest therein and use, dispose of, assign or otherwise turn to account the trade marks, trade names and interests so acquired; and generally possess, exercise and enjoy all the rights, powers and privileges which the owner of a trade mark or trade name or the like may possess, exercise and enjoy; Power to acquire trade marks.
- (iii) apply for, purchase or otherwise acquire any copyright or like right or any interest therein or right thereunder, and use, exercise, develop, dispose of, assign or grant licenses in respect of or otherwise turn to account any copyright or like right or any interest or right so acquired; and generally possess, exercise and enjoy all the rights, powers and privileges which the owner of a copyright or like right or of any interest therein or right thereunder may possess, exercise and enjoy. Power to acquire copyright.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 86.

## An Act to amend The Hospitals for the Insane Act.

*Assented to 17th April, 1924.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.     **1.** This Act may be cited as *The Hospitals for the Insane Act, 1924.*

Rev. Stat.  
c. 295,  
amended.     **2.** *The Hospitals for the Insane Act* is amended by adding thereto the following section:

Adminis-  
trator for  
Manitoba  
may be  
appointed  
committee in  
Ontario.

60.—(1) The Lieutenant-Governor in Council may appoint the Administrator of Estates of Insane Persons for the Province of Manitoba to be committee of the estate in the Province of Ontario of any lunatic who is detained in a public asylum in Manitoba.

Order-in-  
council con-  
clusive as to  
appoint-  
ment.

(2) An order-in-council making such an appointment of the officer mentioned in this section shall be conclusive proof that all conditions precedent necessary to the appointment have been fulfilled.

Powers of  
adminis-  
trator in  
Ontario.

(3) The appointee under an order-in-council issued under this section shall possess the same rights, powers, privileges and immunities as are conferred by this Act and the amendments thereto upon the Public Trustee for Ontario, and he shall be subject to the same obligations and shall perform the same duties.

Commence-  
ment of  
Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 87.

## An Act respecting the City of Belleville.

*Assented to 17th April, 1924.*

**W**HEREAS the corporation of the city of Belleville has Preamble.  
 by its petition represented that in the years 1920 and 1921 it constructed and laid down a storm sewer on Burnham street from Bridge street to Dundas street and on Dundas street from Burnham street to Foster avenue, and on Foster avenue from Dundas street to the Bay of Quinte deeming such work to have been authorized under the provisions of construction By-law No. 2289 passed on the 29th day of November, 1920; that during the progress of the work the said corporation secured a temporary loan to meet the cost of the work; that the said construction By-law No. 2289 provided that the work should be constructed as a local improvement and that part of the cost of it should be specially assessed against the property abutting on the work and part against the property immediately benefitted or that would be benefitted in the future by the work; that heretofore all storm sewers have been constructed in the city of Belleville at the expense of the corporation at large and that it is desirable in the interests of the said corporation that the whole cost of the said storm sewer should be charged against the corporation at large; and whereas the said corporation has by its petition prayed that an Act may be passed authorizing it to borrow by the issue of debentures a sum not exceeding \$25,000 to pay off the said temporary loan and the interest thereon and conferring power to repeal the said construction By-law No. 2289; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The City of Belleville Act, 1924*. Short title.
2. The corporation of the city of Belleville may pass a Power to pass by-laws. by-law or by-laws for borrowing upon the credit of the corporation at large by the issue of debentures payable within

a period not exceeding twenty-five years from the issue thereof and bearing interest at such rate as the council may deem proper a sum not exceeding \$25,000 to pay off the temporary loan secured for the construction of the said storm sewer and the interest thereon and such by-law or by-laws when passed and such debentures when issued and all rates levied for the payment thereof shall stand confirmed and be legal, valid and binding on the said corporation and on the ratepayers thereof.

Assent of  
electors not  
required.

3. It shall not be necessary to obtain the assent of the electors qualified to vote on money by-laws in the city of Belleville to the passing of any by-law which shall be passed under the provisions of section 2 or to observe any formalities in relation thereto prescribed by *The Consolidated Municipal Act, 1922*.

Irregularity  
not to  
invalidate.

4. No irregularity in the form of any of the debentures issued under the authority of section 2 or in any by-law authorizing the issue thereof shall render the same invalid or be allowed as a defence in any action brought against the corporation of the city of Belleville for the recovery of the amount thereof or interest thereon or any part thereof.

Repeal of  
construction  
by-law.

5. The corporation of the city of Belleville may on the payment of the said temporary loan pass a by-law to repeal construction By-law No. 2289 passed on the 29th day of November, 1920.

Commence-  
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.



## CHAPTER 88.

## An Act to amend The City of Chatham Act, 1921.

*Assented to 17th April, 1924.*

**W**HEREAS the corporation of the city of Chatham Preamble.  
 has by petition represented that an Act be passed to  
 amend *The City of Chatham Act, 1921*, to provide for the  
 holding of nomination meetings for members of the council  
 and mayor of the said corporation annually on the last  
 Monday in the month of November, and the election of  
 members of the council and the mayor thereof on the first  
 Monday in the month of December; and to provide that the  
 mayor shall hold office for a term of one year instead of for  
 a term of two years as is now provided by the said Act; and  
 whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and  
 consent of the Legislative Assembly of the Province of  
 Ontario, enacts as follows:—

1. This Act may be cited as *The City of Chatham Act*, Short title.  
 1924.

2. Section 2 of *The City of Chatham Act, 1921*, is hereby 1921, c. 97,  
 s. 2, repealed  
 repealed and the following section substituted therefor;

2. Nomination meetings for members of the council Date of  
 nomination  
 and polling  
 and mayor of the said corporation shall hereafter  
 be held annually on the last Monday in the month  
 of November, and the election of members of the  
 council and mayor of the said corporation shall  
 hereafter be held annually on the first Monday  
 in the month of December, provided that if the day  
 so fixed for nomination meeting or election shall  
 in any year fall on a holiday, such nomination  
 meeting or election (as the case may be) shall be  
 held on the next following day.

1921, c. 97,  
s. 3, repealed.

3. Section 3 of *The City of Chatham Act, 1921*, is hereby repealed and the following section substituted therefor;

Council,  
how com-  
posed.

3. From and after the 31st day of December, 1921, the council of the said corporation shall be composed of and comprise seven aldermen and the mayor, who shall be elected by general vote of the qualified electors of the said city. Of the seven aldermen, the four obtaining the highest number of votes at the election held in November, 1921, shall hold office for the term of two years from and after the 31st day of December, 1921, and the remaining three aldermen shall hold office for the term of one year from and after the last mentioned date, and the mayor shall hold office for the term of one year. In all elections of aldermen of the city, subsequent to the election in the month of November, 1921, such aldermen respectively shall be elected and hold office for the term of two years commencing with the first day of the calendar year following the election; and in elections for mayor of said city, such mayor shall be elected to hold office for the term of one year, commencing with the first day of the calendar year following the election.

Office of  
mayor not  
affected  
until 1925.

4. Nothing in this Act shall apply to the term of office of the mayor until the election to be held in the month of December, 1925.

Commence-  
ment of  
Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 89.

## An Act respecting the Town of Cobourg.

*Assented to 17th April, 1924.*

**W**HEREAS the Corporation of the Town of Cobourg has Preamble.  
by petition represented that the Cobourg Felt Company, Limited (hereinafter called the "Company"), which is established and has been carrying on, within the said town for many years, the business of manufacturing felt goods, entered into an agreement with the Corporation for a loan of \$30,000, in aid of the Company, to be secured by mortgage on the property, plant and machinery of the company and by-law hereinafter referred to as number 1290 of the corporation, pursuant to the terms of the said agreement, has been submitted to the electors of the corporation qualified to vote thereon for their assent in accordance with the provisions of *The Consolidated Municipal Act, 1922*; and whereas, of the said electors who voted on the said by-law, more than two thirds voted in favour thereof; and whereas, the said by-law was subsequently finally passed by the affirmative vote of three-fourths of all the members of the council of the said corporation; and whereas the mortgage, by way of security for the said loan referred to in the said by-law, has been duly executed and delivered to the corporation and has been registered, and, in all other respects the company has complied with the terms of the said agreement; and whereas the corporation has issued or desires to issue debentures as provided for by the said by-law; and whereas doubts have arisen as to the validity of the said by-law and the said mortgage and of the said debentures; and whereas, the corporation has, by its petition, prayed that an Act may be passed to validate and confirm the said by-law and mortgage and the debentures issued or to be issued thereunder; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Town of Cobourg Act, 1924*. Short title.

By-law No.  
1290  
Cobourg;  
and mort-  
gage to  
Town of  
Cobourg by  
Cobourg  
Felt Com-  
pany,  
Limited,  
confirmed.

**2.** By-law number 1290 of the corporation of the Town of Cobourg set out as schedule "A" hereto and the mortgage made by the Cobourg Felt Company, Limited, to the said corporation set out as schedule "B" hereto, are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the parties to the said mortgage, their successors and assigns; and all debentures heretofore or hereafter issued, pursuant to the said by-law, and all assessments made or to be made, and all rates levied or to be levied for the payment of the said debentures, are hereby validated and confirmed; and the said corporation is declared to have had and to have power to issue such debentures, make such assessments and levy such rates.

Commence-  
ment of Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "A."

### By-LAW No. 1290.

A by-law authorizing the issue of debentures for the raising of \$30,000 in aid of the Cobourg Felt Company, Limited, as an additional bonus by way of loan, secured by an additional mortgage on the property, plant and machinery of the said company at Cobourg.

Whereas the said company has applied to the corporation of the Town of Cobourg for a loan of \$30,000 to be secured by a mortgage on the company's property, plant and machinery in Cobourg.

And whereas by authority of by-law No. 1066, passed April 20th, 1914, the municipal council of the Town of Cobourg, with the assent of the electors of the said town, granted a bonus to the said company of \$10,000 on certain conditions of employment secured by a first mortgage on the company's said property, plant and machinery, dated November 23rd, 1914, registered as No. 8241 in Book E 2, for the Town of Cobourg, one-third of which (as yet undue) is unearned.

And whereas by authority of By-law No. 1144, passed March 19th, 1917, the said Council, with the assent of the said electors, granted a further bonus to the said company of \$10,000, secured by a second mortgage on the company's said property, plant and machinery, dated April 18th, 1917, registered as No. 8713 in Book F 2 for the Town of Cobourg, \$6,000 of which is unpaid.

And whereas the sum in arrears for principal in respect of the said recited mortgages is \$1,000.00.

And whereas the said company has entered into an agreement with the town, bearing date the 20th day of March, 1923, that, in the event of this by-law receiving the assent of the electors of the said town qualified to vote thereon, the said company, as a condition precedent to the said loan, will execute in favour of the town a mortgage (subject only to the said recited mortgages) upon the company's said property, plant and machinery and register the same, free and clear of all liens, charges or encumbrances, save and except only the two said recited mortgages now held by the town.

And whereas the said agreement provides that the said mortgage monies will be repaid to the said town as follows: viz., in ten consecutive annual instalments of \$3,000.00 each, principal money, the first of said principal payments to be made on May 1st, 1924, and the interest payments half-yearly at  $5\frac{1}{2}$  per centum per annum on the first days of November and May of each and every year as well after as before maturity until the said principal is fully paid, the first of said half-yearly payments of interest is to become due and is to be paid on the 1st day of November, 1923.

And whereas the said agreement further provides that the company will, as a further condition precedent to the said loan, execute the said mortgage security according to the form prepared by the town solicitor and defray the cost thereof including registration and all costs of and incidental to the said agreement this by-law and its submission to the electors, including the due advertising of the same, and such other by-laws and agreements as may be necessary to complete this transaction.

And whereas it will be necessary (in the event of the electors assenting to this by-law) to raise annually, by special rate, during the term of ten years the sums hereinafter mentioned for paying the principal sum of \$30,000 and the interest thereon at the rate of  $5\frac{1}{2}$  per centum per annum.

And whereas it will be necessary to borrow on the credit of the corporation the said sum of \$30,000 and to issue debentures therefor bearing interest at the rate of  $5\frac{1}{2}$  per centum per annum, which is the amount of the debt intended to be created by this by-law.

And whereas it is expedient to make the principal of the said debt repayable in yearly sums during the period of ten years of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be as nearly as may be equal to the amount so payable in each of the other years.

And whereas it will be necessary to raise annually the sum of \$3,994.49 during the said period of ten years to pay the said debentures as they come due.

And whereas the amount of the whole rateable property of the Municipality, according to the last revised assessment roll, is \$2,813,220.00.

And whereas the amount of the existing debenture debt of the said municipality, exclusive of local improvement debenture debts secured by special rates on assessments is \$306,322.08, and no part of the principal or interest thereof is in arrear.

Therefore, the municipal council of the corporation of the Town of Cobourg enacts as follows:—

(1) That, in the event of this by-law receiving the assent of the said electors, it shall be lawful for the said corporation, for the purposes aforesaid, to borrow, on the credit of the corporation, the said sum of Thirty Thousand dollars, and to issue debentures therefor in sums of not less than \$100 each bearing interest at the rate of  $5\frac{1}{2}$  per centum per annum, and having coupons attached thereto for the payment of such interest half yearly.

(2) That the said debentures shall be issued within two years after the passing of this by-law and may bear any date within such two-year period and shall all bear the same date and shall be payable in ten annual instalments during the ten years next after the date of issue thereof, and the respective amounts of principal and interest payable in each of such years shall be as set forth in the Schedule hereunto marked "A." which is hereby incorporated in and made part of this by-law.

(3) That the said debentures, as to both principal and interest, shall be expressed in Canadian currency and shall be payable at the Bank of Toronto in the Town of Cobourg.

(4) During the ten years currency of the said debentures the sum of

\$3,994.49

\$3,994.49 shall be raised annually for the payment of the said debt and interest as follows: by a special rate sufficient therefor, over and above all other rates, on all the rateable property in the municipality, at the same time and in the same manner as other rates.

(5) That the mayor and treasurer of the said corporation shall sign and issue the said debentures and interest coupons and the debentures shall be sealed with the seal of the said corporation and the said signatures on interest coupons may be written, stamped, printed or engraved, or lithographed thereon.

(6) That in the event of this by-law receiving the assent of the electors aforesaid, it shall come into force and effect when passed by the council of the said municipality.

Passed the 7th day of May, 1923.

A. W. YOUNG,  
*Town Clerk.*

F. D. BOGGS,  
*Mayor.*

[Seal].

*Schedule "A."*

Total Annual Payment, \$3,994.49.

Year.	Payments on principal.	Payments on interest account.
1.....	\$2,321 81	\$1,672 68
2.....	2,451 24	1,543 25
3.....	2,587 92	1,406 57
4.....	2,732 21	1,262 28
5.....	2,884 55	1,109 94
6.....	3,045 39	949 10
7.....	3,215 19	779 30
8.....	3,394 45	600 04
9.....	3,583 71	410 78
10.....	3,783 53	210 96
	<hr/>	
	\$30,000 00	

SCHEDULE "B."

This indenture made in triplicate the twenty-third day of April, A.D. 1923, pursuant to *The Short Forms of Mortgages Act*.

Between:

*The Cobourg Felt Company, Limited*, hereinafter called the  
"Company", Mortgagors,  
*of the first part.*

*The Corporation of the Town of Cobourg*, hereinafter called the  
"Town", Mortgagees,  
*of the second part.*

Whereas by an agreement dated the twentieth day of March, A.D. 1923, between the town and the mortgagors, the town agreed to lend to the mortgagors Thirty Thousand dollars (\$30,000) on the terms in said agreement set forth, subject to the ratification thereof by the electors of the town.

And whereas the electors duly ratified the said agreement.

And whereas the town has fulfilled its obligations to the mortgagors under the said agreement by lending to the mortgagors the sum of Thirty Thousand dollars (\$30,000) as provided in the said agreement.

And

And whereas it was by the said agreement provided that the company should execute a mortgage upon the said factory site, property and plant of the company in Cobourg as security to the town for the repayment of the said loan of Thirty Thousand dollars (\$30,000) with interest thereon at five and one half per centum ( $5\frac{1}{2}\%$ ) per annum.

Now this indenture witnesseth that in consideration of the premises and of the said sum of Thirty Thousand dollars (\$30,000) of lawful money of Canada heretofore paid by the town to the company (the receipt whereof is hereby acknowledged) the company doth grant and mortgage unto the town all and singular those certain parcels or tracts of land and premises situate, lying and being in the town of Cobourg, in the County of Northumberland, in the Province of Ontario, described in the schedule hereunto annexed marked "A," which is incorporated in and made part of this mortgage together with all the buildings, fixtures, plant and machinery now in and upon the said premises, and all other fixtures, plant and machinery appurtenant thereto or which may hereafter be placed thereupon in connection with any business which the company may carry on, all of which shall, for the purposes of this security, be regarded as part of the freehold.

Provided this mortgage to be void on payment to the town of the said sum of Thirty Thousand dollars (\$30,000) in ten consecutive annual instalments of Three Thousand dollars (\$3,000) of principal money, the first thereof on May 1st, 1924; and interest half-yearly at five and one-half per centum ( $5\frac{1}{2}\%$ ) per annum on the first days of November and May of each year as well after as before maturity, the first interest payment to become due on November 1st, 1923, and to be computed from May 1st, 1923.

Provided also that the company may repay said loan in whole or in part at any time by liquidation of the then outstanding and unpaid balance of principal account, plus interest at the said rate to the date of the exercising of the said privilege, upon giving sixty (60) days notice in writing to the town clerk.

Provided that in the event of the company making default in the terms and conditions of the above provisos the town shall have the right to take proceedings under this mortgage for the recovery of the monies hereby secured or the balance remaining due thereunder.

Provided that the town, on default of payment for one month, may, on giving one month's notice in writing, enter on and lease or sell the said lands, property, plant and machinery and should such default continue for two months an entry, lease or sale may be made hereunder without notice.

It is agreed that the proceeds of any sale hereunder may be applied in payment of any costs, charges and expenses incurred in taking, recovering or keeping possession of the said lands, or by reason of non-payment or procuring payment of moneys secured hereby, and that sales may be made from time to time of portions of said lands or the equity of redemption in the whole of said lands subject to the amount not yet actually payable according to the proviso, to satisfy interest or part of the principal overdue leaving the balance of principal to run at interest payable as aforesaid, and the mortgagees may make any stipulations as to title or evidence or commencement of title or otherwise which it shall deem proper, and may buy in or rescind or vary any contract for sale of any of the said lands and resell without being answerable for loss occasioned thereby, and for any of said purposes may make and execute all agreements and assurances it shall think fit; and that the purchaser at any sale hereunder shall not be bound to see to the legality, propriety or regularity thereof or that default has happened on account of which the sale or lease is made, and that no want of default or of notice or publication when required hereby, shall invalidate any sale hereunder, and the above powers may be exercised by the assigns of the said mortgagees and against the successors and assigns of the said mortgagors.

And the said mortgagees shall, by and out of the moneys to arise out of any such sale or lease as aforesaid, in the first place pay and retain all

the costs and expenses attending such sale or otherwise incurred in relation to this security, and in the next place pay and satisfy the moneys and interest which shall then be owing on this security or a portion of the same as above provided, and should any surplus remain in the hands of the mortgagees after payment of all its claims for principal, interest and all other moneys secured herein, and costs (between solicitor and client), charges and expenses, the mortgagors shall be entitled to such surplus only upon demand in writing made upon the mortgagees and proof supplied to the satisfaction of the said mortgagees that they are entitled to such surplus, and upon payment of all costs (between solicitor and client), charges and expenses to which the mortgagees may be put in respect of such demand.

Provided that the mortgagees may distrain for arrears of interest.

Provided that in default of payment of the interest hereby secured, the principal hereby secured shall become payable.

The mortgagors covenant with the mortgagees that the mortgagors will pay the mortgage money and interest as hereinbefore provided and will observe the provisos herein.

That the mortgagors have a good title in fee simple to the said lands and that it has a right to convey the said lands to the said mortgagees and that on default the mortgagees shall have quiet possession of the said lands free from all encumbrances.

And the mortgagors will insure the buildings, property and plant on the said lands to the amount of not less than Forty Thousand dollars (\$40,000).

And that the mortgagors have done no act to encumber the said lands save and except the following registered encumbrances, namely: mortgage dated November 23rd, 1914, and registered December 19th, 1924, as number 8241 in Book E 2 for the Town of Cobourg, and mortgage dated April 18th, 1917, and registered April 20th, 1917, as number 8713 in Book F 2 for the Town of Cobourg.

And that the mortgagors will execute such further assurances of the said lands as may be requisite.

And the said mortgagors do release to the said mortgagees all its claims upon the said lands subject to the said proviso.

Provided that until default the mortgagors shall have quiet possession of the said lands.

In witness whereof the said parties hereto have hereunto affixed their corporate seal.

Sealed and delivered by A. J. Kimmel, president of The Cobourg Felt Company, Limited, and by A. B. Mitchell, secretary of The Cobourg Felt Company, Limited.

In the presence of  
F. M. FIELD  
A. R. WILLMOTT

[Seal]

#### *Schedule "A."*

Referred to and incorporated in the mortgage hereunto annexed from The Cobourg Felt Company, Limited, to the corporation of the Town of Cobourg, bearing date the twenty-third day of April, A.D. 1923.

All and singular those certain parcels or tracts of land and premises situate, lying and being in the town of Cobourg in the County of Northumberland, and being composed of part of Block C, situate on the south side of King Street, in the said Town of Cobourg and being part of Lot 20 in concession "A," township of Hamilton, now within the limits of the said town of Cobourg, described as follows: commencing at the centre of a



stone monument on the south side of King Street; thence south seven inches to the point of beginning; thence south eighty-four degrees thirty minutes west two hundred and sixty-two feet six inches to the easterly corner of King and Tremaine Streets; thence south sixteen degrees east along the easterly boundary of Tremaine Street, three hundred and fifteen feet six inches, more or less, to a point where the line of the south face of the south wall of the boiler house would, if produced, cut said east boundary line of said street; thence north eighty-two degrees east along line of the south face of wall of boiler house seventy-eight feet to the southeast corner thereof; thence north fifty-one degrees east one hundred and five feet three inches to the southeast corner of the main mill building; thence north eighty-two degrees east three hundred and ninety-five feet six inches to the line between lots numbers nineteen and twenty, concession "A," township of Hamilton; thence north sixteen degrees west two hundred and twenty-nine feet six inches along said line to the southerly boundary of King Street; thence south eighty-four degrees west one hundred and thirty-five feet six inches; thence south eighty-four degrees thirty minutes west one hundred and eighty feet to the point of beginning, being part of Block C, lot number twenty, concession "A," township of Hamilton, now a part of the town of Cobourg, saving and excepting thereout that part of block "C" on the south side of King Street, in the said town of Cobourg, formerly belonging to one Blanche Alexander, particularly described as follows: commencing at a stone monument on the south side of King Street in the said town of Cobourg at the distance of two chains and ninety-seven links on a bearing north seven degrees east from the northeast corner of the main building of the woollen mills property in the said block; thence from the centre of the said stone monument south seven inches to a post at the place of beginning; thence south ten degrees nineteen minutes east along the line of a fence two chains fifty-two and one-quarter links more or less to where an iron pipe is placed fifteen and one-third links more or less beyond the southerly limit of said fence; thence in a northeasterly direction two chains seventy-one links more or less to an iron pipe placed about two feet from the edge of the creek; thence in the same line extended into the bed of the creek fifteen links more or less; thence in a northwesterly direction two chains, twenty-eight links more or less to a point on the southern limits of King Street distant two chains from the place of beginning; thence westerly along the southerly limit of King Street to the place of beginning.

Together with a right of way for ingress, egress and regress fourteen (14) feet wide from Tremaine Street to the easterly limit of the said property at the southerly side of the said buildings, save where the present buildings of The Cobourg Matting and Carpet Company restrict the same to less than fourteen (14) feet in width.

Subject to the reservation to The Cobourg Matting and Carpet Company, Limited, its successors and assigns, of a right of way to their property (14) feet wide along the present entrance from King Street and a prolongation of the same fourteen (14) feet wide, to the south, and a right of way for a railway siding over the said property wherever the same can be best located outside of the buildings on the said property.

And including the easements, reservations and privileges in favour of The Cobourg Felt Company, Limited, in, upon and over the adjacent property of The Cobourg Matting and Carpet Company, Limited, as set out in the deed thereof from The Cobourg Matting and Carpet Company, Limited, to The Cobourg Felt Company, Limited. Dated September fifth, 1914, and registered in Book E 2 for Cobourg on the twenty-eighth September, 1914, as number 8201, but subject to the easements, reservations and privileges reserved by The Cobourg Matting and Carpet Company, Limited, by the said deed.

Provided that the mortgagors while in possession and not in default under this mortgage shall have the right to make what changes they may deem necessary for the proper use of the premises as a going concern by altering buildings, improvements and by selling or removing old machinery, and by adding new machinery, so however as not substantially to impair the security of the mortgagees.

## CHAPTER 90.

An Act respecting the Township of  
Cornwall.*Assented to 17th April, 1924.*

## Preamble.

**W**HEREAS the municipal corporation of the township of Cornwall, in the county of Stormont, has by its petition represented that on the twenty-fifth day of October, 1923, the said corporation entered into an agreement with Courtaulds, Limited, a body corporate, having its head office at the city of London, in the Kingdom of Great Britain and Ireland, whereby the said company agreed to establish, within the municipal boundaries of the said corporation, a branch of its business for the manufacture of artificial silk, and whereby the said corporation agreed to fix the assessment of the lands and buildings of the said company at such a sum, as at the current annual rate of taxes from time to time, would yield to the said corporation a maximum sum of Three hundred and twenty-five dollars yearly for taxes upon such lands and buildings; and whereas in and by the said agreement the said company agreed to construct certain buildings, expend certain moneys, employ certain operatives and expend certain wages, which agreement is set out in schedule "A" hereto; and whereas the said corporation by its by-law numbered 1057 for the year 1923, as set out in schedule "B" hereto, did authorize and empower the reeve and clerk of the said corporation to execute the said agreement and attach the corporate seal thereto; and whereas the said corporation has, by its petition, represented that the establishment of the said industry, within the corporate limits of the said corporation, will be of great advantage to the said corporation; and whereas the said corporation has by its said petition prayed that an Act may be passed, validating and making legal and binding the said by-law and the said agreement; and whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

## Short title.

1. This Act may be cited as *The Township of Cornwall Act, 1924.*

2.—(1) Subject to subsection 2, By-law No. 1057 of the municipal corporation of the township of Cornwall, in the county of Stormont, for the year 1923, as set forth in schedule "B" to this Act, and the agreement therein referred to, between the said corporation and said Courtaulds, Limited, as set forth in schedule "A" to this Act, are declared legal, valid and binding upon the said municipal corporation, in the same manner and to the same extent as if set out at length and incorporated in this Act, and notwithstanding any want of jurisdiction of the said municipality to pass the said by-law, or execute the said agreement, and notwithstanding any defect in substance or form of the said by-law or in the manner of passing the same or in the execution of the agreement therein referred to.

By-law 1057  
Township of  
Cornwall  
and agree-  
ment with  
Courtaulds,  
Ltd.,  
confirmed.

(2) Notwithstanding anything therein contained, the said by-law and agreement shall not affect or apply to taxation for school purposes or local improvements.

School and  
local  
improve-  
ment rates.

#### SCHEDULE "A".

Agreement made this Twenty-Fifth day of October, A.D. 1923.

BETWEEN

THE CORPORATION OF THE TOWNSHIP OF CORNWALL, in the County of Stormont and Province of Ontario and Dominion of Canada, hereinafter called the Corporation,  
of the First Part,

and

COURTAULDS, LIMITED, a body corporate having its head-office at the City of London in the Kingdom of Great Britain and Ireland, hereinafter called the Company,  
of the Second Part.

WHEREAS the Company are engaged in the manufacture of artificial silk, and are desirous of establishing a branch of their business in Canada,

AND WHEREAS the said Company contemplate the acquisition of the whole or part of lot number Four in the First Concession of the Township of Cornwall, aforesaid, as a site for the establishment of said business in Canada,

AND WHEREAS it would be in the interests of the Corporation to have said Canadian Branch of the business of said Company within its Municipal limits,

AND WHEREAS it is desirable that an agreement should be entered into between the Corporation and the Company setting forth what should be done by the Company in establishing and operating said business, and by said Corporation in respect of the assessments, rates and taxes of the said Company.

NOW THIS INDENTURE AND AGREEMENT WITNESSETH that the Corporation and Company agree as follows:

1. The Company will erect within two years from the date hereof buildings constructed of steel, cement and brick to the value of at least Three hundred thousand dollars and shall equip the same with suitable

plant

plant and machinery to the value of at least Three hundred thousand dollars and shall forthwith upon the completion of said plant and premises proceed to operate and continue to operate same.

2. The Company will employ a minimum number of five hundred employees, divided approximately equally into male and female employees, and will pay out in wages a minimum weekly sum of Ten thousand dollars.

3. The Company will provide at its own expense all necessary water and sewerage facilities and its own fire protection.

4. The Company will provide and maintain at its own expense all roads and streets required for its purposes on said property.

5. The Company will furnish to the Corporation free of charge, all surplus cinders made on its premises, over the requirements of the Company, as the same may be required by the Corporation.

6. The Company shall pay taxes, exclusive of school rates, but inclusive of all other rates, to the Corporation upon such annual assessment as at the current yearly rate of taxation will yield to the said Corporation the maximum sum of Three hundred and twenty-five dollars, for a term of ten years from the first day of January, A.D. 1924.

7. This Agreement shall not affect the duty of the Company to pay the ordinary rates for school purposes.

8. This Agreement shall enure to the benefit of, and be binding upon, any other Company which the Company herein named may find it necessary or expedient to form for the conduct of its Canadian business.

9. In the event of the Company disposing of any part of the lands hereinbefore described, the benefits of this agreement shall not accrue to any other industry that may be established thereon.

IN WITNESS WHEREOF the Reeve and Clerk of the Corporation of the Township of Cornwall have hereunto set their hands and affixed the Corporate Seal and said Courtaulds, Limited, have also set the hands of their proper officers thereunto lawfully authorized and have affixed their Corporate Seal.

Corporation Township of Cornwall.

(sd) ERNEST C. GROVES, *Reeve*.

(seal)

(sd) J. W. MCLEOD, *Clerk*.

The Common Seal of Courtaulds, Limited, was hereunto affixed in the presence of

(sd) SAMUEL COURTAULD, } *Directors.*

(seal)

(sd) H. JOHNSON,

(sd) C. KETTLE, *Assistant Secretary*.

#### SCHEDULE "B".

BY-LAW NO. 1057 OF THE CORPORATION OF THE TOWNSHIP OF CORNWALL, IN THE COUNTY OF STORMONT, FOR THE YEAR 1923.

A By-law for fixing the assessment upon the property of Courtaulds, Limited, in the Township of Cornwall for a period of ten years and authorizing the execution of an agreement between the said Company and the said Corporation in respect thereof.

WHEREAS the Corporation of the Township of Cornwall has entered  
into

into an agreement bearing even date herewith, to fix the assessment and taxes on all real estate, buildings, machinery and plant of Courtaulds, Limited, for a period of ten years as set out in said agreement and upon the terms, provisos and conditions in said Agreement contained,

AND WHEREAS it is necessary to authorize the Reeve and Clerk of the Corporation of the Township of Cornwall to execute the said agreement and attach the Corporate Seal thereto.

BE IT THEREFORE ENACTED a By-law of the Corporation of the Township of Cornwall, and it is hereby enacted that the Reeve and Clerk be, and they are hereby authorized and empowered to sign and seal with the corporate seal of the Township of Cornwall, said Agreement with said Courtaulds, Limited, bearing date the Twenty-fifth day of October, A.D. 1923.

AND it is hereby further enacted that the said Agreement with said Courtaulds, Limited, shall not come into operation or take effect until the same is ratified, confirmed and validated as provided by the Statutes in that behalf.

Passed in open Council, signed and sealed this 25th day of October, A.D. 1923.

(sd) J. W. McLEOD,  
*Clerk.*

(sd) ERNEST C. GROVES,  
*Reeve.*

(Township's seal)

## CHAPTER 91.

An Act respecting the Village of  
Crystal Beach.

*Assented to 17th April, 1924.*

Preamble.

**W**HEREAS the municipal council of the corporation of the Village of Crystal Beach has by petition represented that it is desirable that By-law No. 58, being a by-law to provide for borrowing \$74,251.82 upon debentures to pay for the construction of a sewer and disposal plant in said village, passed on the 21st day of September, 1923, specified in Schedule "A" hereto annexed, and the debentures issued or to be issued thereunder and the assessments made or to be made and the rates levied or to be levied for the payment of the said debentures be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Village of Crystal Beach Act, 1924*.

By-law No.  
58 con-  
firmed.

**2.** By-law No. 58 of the corporation of the Village of Crystal Beach, set out in schedule "A" hereto, and all debentures issued or to be issued thereunder and all assessments made or to be made and all rates levied or to be levied for the payment of the said debentures so authorized or any portion thereof are hereby confirmed and declared to be legal, valid and binding upon the corporation and the ratepayers thereof, and it shall not be necessary for the purchasers of such debentures to inquire into the validity of the proceedings relating to or authorizing the issue of same or to see to the application of the proceeds of the sale thereof.

Commence-  
ment of Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "A".

## BY-LAW No. 58.

A by-law to provide for borrowing seventy-four thousand two hundred and fifty-one 82-100 (\$74,251.82) upon debentures to pay for the construction of a sewer and disposal plant in the Village of Crystal Beach.

Whereas pursuant to construction By-law No. 40, passed on the tenth day of May, 1922, a sewer and disposal plant has been constructed in the Village of Crystal Beach.

(a) On Erie Road from Schooley Road to Derby Road;

(b) From Derby Road southeasterly across Block EE and lot number 468, plan number 32, to Ridgeway Road; thence south along Ridgeway Road to Lake Erie, as a local improvement, under the provisions of *The Local Improvement Act*;

And whereas the plans and specifications for said sewer and disposal plant have been approved by the Provincial Board of Health, and their approval has been certified under the hand of the chairman and secretary of said Board by a certificate dated the eighteenth day of April, 1922;

And whereas the Provincial Board of Health reported in writing, in pursuance of section 96 of *The Public Health Act*, by their certificate dated the eighteenth day of April, 1922, that it was necessary in the interests of public health that said sewer and disposal plant be constructed.

And whereas the total cost of the work is \$74,251.82, of which \$29,552.22 is the corporation's portion of the cost and \$44,699.60 is the owner's portion of the cost, for which a special assessment roll has been duly made and certified;

And whereas the estimated life-time of the work is thirty years;

And whereas it is necessary to borrow the said sum of \$74,251.82 on the credit of the corporation and to issue debentures therefor bearing interest at the rate of six per cent. per annum, which is the amount of the debt intended to be created by this by-law;

And whereas it is expedient to make the principal of the said debt repayable in yearly sums during the period of twenty years of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years;

And whereas it will be necessary to raise annually the sum of \$6,473.61 during the period of twenty years to pay the said yearly sums of principal and interest as they become due, of which \$2,576.50 is required to pay the corporation's portion of the cost and the interest thereon, and \$3,897.11 is required to pay the owner's portion of the cost and the interest thereon;

And whereas the amount of the whole rateable property of the municipality, according to the last revised assessment roll, is \$508,755;

And whereas the amount of the existing debenture debt of the corporation (exclusive of local improvement debts secured by special rates or assessments) is \$819.98 and no part of the principal or interest is in arrear;

Therefore, the municipal council of the corporation of the Village of Crystal Beach enacts as follows:—

1. That for the purpose aforesaid there shall be borrowed on the credit of the corporation at large the sum of \$74,251.82, and debentures shall be issued therefor in sums of not less than \$100 each, bearing interest at the rate of six per cent. per annum, payable half yearly and having coupons attached thereto for the payment of the interest.

2. The debentures shall all bear the same date and shall be issued within two years after the day on which this by-law is passed and may bear any date within such two years and shall be payable in twenty annual instal-

ments during the twenty years next after the time when the same are issued and the respective amounts of principal and interest payable in each of such years shall be as follows:

No.	Interest	Principal	Annual Payment
1.....	\$4,455 11	\$2,018 50	\$6,473 61
2.....	4,334 00	2,139 61	6,473 61
3.....	4,205 62	2,267 99	6,473 61
4.....	4,069 54	2,404 07	6,473 61
5.....	3,925 30	2,548 31	6,473 61
6.....	3,772 40	2,701 21	6,473 61
7.....	3,610 33	2,863 28	6,473 61
8.....	3,438 53	3,035 08	6,473 61
9.....	3,256 42	3,217 19	6,473 61
10.....	3,063 39	3,410 22	6,473 61
11.....	2,858 78	3,614 83	6,473 61
12.....	2,641 89	3,831 72	6,473 61
13.....	2,411 99	4,061 62	6,473 61
14.....	2,168 29	4,305 32	6,373 61
15.....	1,909 97	4,563 64	6,473 61
16.....	1,636 15	4,837 46	6,473 61
17.....	1,345 90	5,127 71	6,473 61
18.....	1,038 24	5,435 37	6,473 61
19.....	712 11	5,761 50	6,473 61
20.....	366 42	6,107 19	6,473 61
		<hr/>	
		\$74,251 82	

3. The debentures as to both principal and interest may be payable at any place or places in Canada, Great Britain or the United States of America.

4. The reeve of the corporation shall sign and issue the debentures, and shall issue the interest coupons, and the debentures and coupons shall be signed by the treasurer of the corporation, and the debentures shall be sealed with the seal of the corporation.

5. During twenty years, the currency of the debentures, the sum of \$6,473.61 shall be raised annually for the payment of the debt and interest as follows:—

The sum of \$2,576.50 shall be raised annually for the payment of the corporation's portion of the cost and the interest thereon and shall be levied and raised annually by a special rate sufficient therefor over and above all other rates on all the rateable property in the municipality at the same time and in the same manner as other rates.

For the payment of the owner's portion of the cost and the interest thereon the special assessment set forth in the said special assessment roll is hereby imposed upon the lands liable therefor as therein set forth, which said special assessment, with a sum sufficient to cover interest thereon at the rate aforesaid shall be payable in twenty equal annual instalments of \$3,897.11 each, and for that purpose the special annual rates per foot frontage set forth in the special assessment roll hereto attached are hereby imposed upon the lots entered in the said special assessment roll, according to the assessed frontage thereof over and above all other rates and taxes, and the said special rates shall be collected annually by the collector of taxes for the corporation at the same time and in the same manner as other rates.

6. The debentures may contain any clause providing for the registration thereof authorized by any statute relating to municipal debentures in force at the time of the issue thereof.

7. This by-law shall take effect on the day of the final passing thereof.

Passed this twenty-first day of September, 1923.

(Sgd.) P. F. RYAN,

*Reeve.*

(Sgd.) F. MILLINGTON,

*Clerk.*

[CORPORATE SEAL.]



## CHAPTER 92.

## An Act respecting the Town of Dundas.

*Assented to 17th April, 1924.*

**W**HEREAS, the municipal council of the corporation Preamble.  
of the Town of Dundas, hereinafter called the corporation, has, by petition, represented that it is desirable that a certain by-law set forth in schedule "A" hereto, and the debentures issued or to be issued thereunder, and the rates levied or to be levied for the payment of the said debentures, should be validated and confirmed; and whereas, the said corporation has prayed that an Act may be passed for the above purpose; and whereas, no opposition has been offered to the said petition; and whereas, it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Town of Dundas Act, 1924*, Short title.

**2.** By-law No. 951 set forth in schedule "A" hereto By-law 951 confirmed.  
is hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof. The rates imposed by and to be levied under the said by-law for the payment of the debentures authorized thereby and the interest thereon are also confirmed and declared to be valid and binding upon the corporation of the Town of Dundas and the ratepayers thereof.

**3.** All debentures issued or to be issued or purporting to Debentures confirmed.  
be issued under the said By-law No. 951 are confirmed and declared to be valid and binding upon the corporation of the Town of Dundas and it shall not be necessary for the purchaser of such debentures to inquire into the validity or legality of the proceedings relating to the issue of the same or to see to the application of the purchase money therefor.

## SCHEDULE "A".

## BY-LAW No. 951.

For granting aid by way of loan and otherwise to Kaustine Company, Limited, to assist in the construction of a factory for the manufacture of water supply and sewage disposal systems, and to authorize the borrowing upon the credit of the debentures of the Municipal Corporation of the Town of Dundas of the sum of \$15,000.00 for that purpose.

Whereas Kaustine Company, Limited, of the Town of Dundas, in the County of Wentworth, proposes to erect and carry on in the Town of Dundas a factory for the manufacture and sale of water supply and sewage disposal systems and the corporation has agreed to lend the Company the sum of \$15,000.00 in aid of the construction and erection of said factory, the repayment of same to be secured in the manner provided by an agreement entered into by the Company with the Corporation, a copy of which is appended hereto and marked as Schedule "A" to this by-law;

And whereas it is contemplated that an average of twelve hands shall be employed in the said industry and it is expedient to develop the said industry in the said Town of Dundas and to aid the same pursuant to the said agreement;

And whereas in order thereto it will be necessary to issue debentures of the Town of Dundas for the sum of Fifteen Thousand dollars (which is the amount of the debt intended to be created by this by-law) the proceeds of the said debentures to be applied to the said purpose and to no other;

And whereas it is desirable to issue the said debentures at one time and to make the principal of the said debt repayable by yearly sums during the period of fifteen years, being the currency of the said debentures, the said yearly sums being of such respective amounts that the aggregate amount payable in each year for principal and interest in respect of the said debt shall be as nearly as possible equal to the amount payable in each of the other years of the said period;

And whereas the total sum required by The Municipal Act (being Chapter 72, Ontario Statutes, 1922) to be raised annually for paying the special instalment of principal and interest accruing due on said proposed debt is the sum of One Thousand, Four Hundred and Ninety-four dollars and Thirty-nine cents (\$1,494.39);

And whereas the whole rateable property of the said municipality according to the last revised assessment roll of the said Town of Dundas is the sum of \$2,787,980.00;

And whereas the amount of the existing debenture debt of the said municipality is \$771,489.71 of which no sum is in arrears for principal or interest;

And whereas there is no industry of a similar nature to the said Kaustine Company, Limited, already established in the said town, nor is this by-law proposed to be passed for the purpose of securing the removal of an industry already established elsewhere in the Province of Ontario;

And whereas the granting of the said loan would not for its payment, together with the payment of any similar bonuses granted by the said municipality, require an annual levy for the principal and interest exceeding ten per cent. of the total annual municipal taxation thereof;

Be it therefore enacted by the Municipal Council of the Corporation of the Town of Dundas as follows:—

1. That subject to the condition of said agreement there shall be advanced by the said Municipal Corporation to the said Kaustine Company, Limited, the said sum of \$15,000.00 by way of loan, upon the security

mentioned

mentioned in said agreement to enable the Company, to erect, equip and carry on the said Kaustine manufacturing factory.

2. For the purpose mentioned in the preamble and in section 1 hereof there shall be borrowed on the credit of the Corporation the sum of Fifteen Thousand dollars, and debentures shall be issued therefor on the instalment plan in sums of not less than \$100.00, each of which shall have coupons attached thereto for the payment of the interest.

3. The debentures shall all bear the same date and shall be issued within two years after the date on which this by-law is passed, they shall be issued and the respective amounts payable in each of such years shall be as follows:—

Year Due	Principal	Interest	Total
1924.....	\$669 39	\$825 00	\$1,494 39
1925.....	706 20	788 19	1,494 39
1926.....	745 04	749 35	1,494 39
1927.....	786 02	708 37	1,494 39
1928.....	829 25	665 14	1,494 39
1929.....	874 86	619 53	1,494 39
1930.....	922 97	571 42	1,494 39
1931.....	973 74	520 65	1,494 39
1932.....	1,027 29	467 10	1,494 39
1933.....	1,083 80	410 59	1,494 39
1934.....	1,143 41	350 98	1,494 39
1935.....	1,206 29	288 10	1,494 39
1936.....	1,272 64	221 75	1,494 39
1937.....	1,342 63	151 76	1,494 39
1938.....	1,416 47	77 92	1,494 39
\$15,000 00			

4. Each of the said debentures shall be signed by the Mayor of the Town of Dundas, or by some other person authorized so to do, and by the Treasurer of the said town and shall be sealed with the seal of the Corporation.

5. That said debt shall bear interest at the rate of five and one-half per cent. per annum, payable half yearly at the office of the said Treasurer in each and every year during the currency thereof, and the debentures shall have attached to them coupons for the payment of the interest, which coupons shall bear the signature of the Treasurer of the said town, and his signature thereto may be written, stamped, lithographed or engraved.

6. During the currency of the debentures there shall be raised in each year the sum of \$1,494.39 the amount of the instalment of principal and interest as set forth in section 3 hereof.

7. The debentures may contain any provision for the registration of them authorized by law.

8. This by-law shall take effect on the date of the passing.

Passed this 5th day of November, A.D. 1923.

(Signed) A. BROAD,  
Mayor.

(Signed) JOHN S. FRY,  
Clerk.

*Schedule "A"*

TO BY-LAW.

Memorandum of agreement made in triplicate this 24th day of September, A.D. 1923;

Between:

KAUSTINE COMPANY, LIMITED,  
(hereinafter called the Company)

of the first part,

and

THE MUNICIPAL CORPORATION OF THE TOWN OF DUNDAS,  
(hereinafter called the Corporation)

of the second part,

and

JOHN FRANCIS CROWLEY,  
of the Town of Dundas, in the County of Wentworth,  
Manufacturer,  
(hereinafter called the Guarantor)

of the third part.

Whereas the Company is engaged in the manufacture of water supply and sewage disposal systems in the Town of Dundas;

And whereas the Company is renting the premises it occupies and has found the said premises to be inadequate and unsuitable for its purposes;

And whereas the Company is desirous of erecting and operating a factory in the Town of Dundas and has made application to the Corporation for the advance of certain moneys to aid in the construction and erection of said factory;

And whereas in the opinion of the Corporation the construction of said factory and the operation thereof will continue and extend a valuable industry in the Town of Dundas.

Now therefore this agreement witnesseth that in consideration of the premises and the mutual covenants, conditions and agreements hereinafter set out and the sum of One dollar now paid by each of the parties hereto to the other of them respectively (receipt whereof is hereby by each of them acknowledged) the parties hereto do one with the other mutually covenant and agree in the manner following, that is to say:—

1. The Company agrees to erect and equip in the Town of Dundas a factory for the manufacture and sale of water supply and sewage disposal systems, the site, buildings, plant and machinery and equipment of said factory when completed to be worth not less than Twenty-five Thousand dollars (\$25,000.00).

2. The Company agrees to employ in said factory when completed and in operation a staff which in number shall average twelve persons per day and continue to so employ said staff during the life of this agreement and the mortgage hereinafter mentioned.

3. This agreement to be subject to the Corporation passing a valid by-law as hereinafter mentioned.

4. The Corporation for the purpose of promoting manufacturing in the said municipality agrees to submit a by-law to the electors of the Town of Dundas entitled to vote thereon to raise Fifteen Thousand dollars (\$15,000.00) for the term of fifteen years and loan the said sum of Fifteen Thousand dollars (\$15,000.00) with interest at five and one-half per cent. per annum to the Company as hereinafter provided; provided that such by-law shall be assented to by the necessary majority of the electors of the said Town of Dundas to render the same valid.

5. The Corporation agrees that the assessment of the Company shall for a period of ten years from and after the passing of the by-law referred

to in the preceding paragraph in this agreement be fixed at the assessed value of the land used by the Company for manufacturing purposes for the year 1923, save for school purposes and local improvement rates.

6. The said sum of Fifteen Thousand dollars shall be paid only as the construction and erection of the said factory progresses and shall be advanced monthly according to the progress certificates issued and signed by the engineer or architect or other person appointed by the Council.

7. The Company shall before any advance is made under the next preceding paragraph hereto give to the Corporation a first mortgage on all the real estate in connection with the said factory and on all buildings, for the said sum of Fifteen Thousand dollars as security for such loan and the fulfilment of this agreement on the part of the Company.

8. The said mortgage shall be made in pursuance of the Short Forms of Mortgages Act and shall contain all the Statutory Covenants contained in mortgages of real estate drawn pursuant to said Act including a covenant to insure in a Company satisfactory to the Corporation to the extent of the full insurable value of said buildings, the insurance clause containing a provision to the effect that in case of loss the insurance money recovered shall be applied towards the repayment of said mortgage, or in replacing the buildings or portions thereof destroyed as the Company may elect, and shall also contain a power of sale on default for six months on six months notice, and shall contain a further provision to the effect that should the Company fail to carry on and perform the terms and conditions of this agreement the whole of the principal money and interest at the time of the breach remaining unpaid shall immediately become due and payable as though time for the payment of the last instalment under the said mortgage had arrived, and the Corporation shall in such case be at liberty to resort to any remedy for the recovery of such unpaid principal and interest as it might or could exercise if the whole of the said principal money and interest were in arrears and unpaid; and the said mortgage shall contain a further clause to the effect that the Company is to have the privilege of paying off the said mortgage at any time during the currency of the same upon paying to the Corporation such sum as will when invested produce the amount remaining unpaid on the debentures to be issued to raise the said Fifteen Thousand dollars both for principal and interest as and when the same become due.

9. In addition to the security mentioned in the next preceding paragraph the Company shall execute and deliver to the Corporation a chattel mortgage for the said sum of Fifteen Thousand dollars as collateral security to the mortgage in the next preceding paragraph. The said mortgage shall cover all machinery, plant, equipment and office furniture which may be or which may hereafter be brought on the premises.

10. The Company agrees to pay back to the Corporation the said sum of Fifteen Thousand dollars and interest at five and one-half per cent. per annum in the manner set out and on the dates stipulated under the by-law mentioned in paragraph number 3 hereto.

11. The Guarantor guarantees payment of the first three instalments due under the mortgage mentioned in paragraph number 7 hereto.

12. The Company agrees and hereby doth release and discharge the Corporation its successors and assigns from and against all loss, costs, charges, damages or expenses in any way connected with either directly or indirectly the creek or any tributary thereof overflowing, encroaching or in any manner whatsoever damaging the property to be covered by the hereinbefore mentioned mortgage or of any adjacent lands including streets or lands.

13. The Company agrees to pay all costs incurred in the submission of the by-law mentioned in paragraph 4 hereto, and the validation of the said by-law by the Ontario Railway and Municipal Board, and in addition thereto the cost of printing the debentures, and incidental expenses in connection with the said mortgages.

14. Notwithstanding anything hereinbefore mentioned the Company shall receive the whole proceeds of the debentures to be sold pursuant to said by-law subject always to clause 13 hereof.

15. Upon resolution of the Council of the Corporation the Company shall furnish to the said Council a sworn statement showing the number of employees engaged by the Company and extending over a period of one year.

16. This agreement shall not only enure to the benefit of and be binding upon the parties hereto, but also to the successors and assigns of the Company and the Corporation and the heirs, executors, administrators and assigns of the Guarantor.

In witness whereof the Company and the Corporation have hereunto affixed their corporate seals under the hands of their proper officers and the Guarantor has set his hand and seal.

SIGNED, SEALED AND DELIVERED  
in the presence of

(Sgd.) W. G. MASON,  
as to signature of  
John Francis Crowley.

} Kaustine Company, Limited.  
(Sgd.) J. F. CROWLEY,  
President.  
(Sgd.) M. A. KROMPART,  
Secretary-Treasurer.  
(Sgd.) A. BROAD,  
Mayor.  
(Sgd.) JOHN S. FRY,  
Clerk.  
(Sgd.) J. F. CROWLEY.

## CHAPTER 93.

An Act to amend The Consolidated Essex  
Border Utilities Act.*Assented to 17th April, 1924.*

**W**HEREAS the Essex Border Utilities Commission was Preamble.  
 established by an Act passed in the sixth year of the  
 reign of His Majesty King George the Fifth, chaptered 98;  
 and whereas, the said Act was amended from time to time  
 and consolidated by *The Consolidated Essex Border Utilities*  
*Act*, passed in the eleventh year of the reign of His Majesty  
 King George the Fifth, and chaptered 99, and the said Com-  
 mission has by its petition prayed that *The Consolidated*  
*Essex Border Utilities Act* may be amended so as to change  
 the term of office of members of the Commission appointed  
 in case of vacancies; to extend the area within the jurisdiction  
 of the Commission so as to include the land naturally draining  
 into the Grand Marais; to provide that the charge for sub-  
 division plans shall be payable throughout the district to the  
 Commission and limiting the right of selling by metes and  
 bounds in certain areas and amending the provision as to the  
 right of appeal to the Railway Board in respect of such plans;  
 to increase the representation on the Board of Health and to  
 correct certain clerical errors in the said Act; and whereas, it  
 is expedient to grant the prayer of the said petition:—

Therefore, His Majesty, by and with the advice and con-  
 sent of the Legislative Assembly of the Province of Ontario,  
 enacts as follows:—

1. This Act may be cited as *The Essex Border Utilities Act*, Short title.  
 1924.

2. Subsection 5 of section 3 of *The Consolidated Essex* 1921, c. 99,  
 s. 3, subs. 5  
 amended.  
*Border Utilities Act* is amended by striking out the words  
 "remainder of the term for which his predecessor was elected," Appoint-  
 ment on  
 vacancy to  
 be one year  
 only.  
 in the fourth and fifth lines thereof, and substituting therefor  
 the words "remainder of the calendar year or if the vacancy  
 occurs after the 1st day of November in any year until the  
 end of the next calendar year, but in either case the electors of  
 the municipality shall at the next annual municipal election

held

held to elect officers for the year next after the appointees' term, elect a member of the Commission to hold office for three years."

1921, c. 99,  
s. 3, subs. 4,  
amended.  
New areas  
taken in to  
be repre-  
sented.

**3.** Subsection 4 of section 3 of the said Act is amended by adding at the end thereof the words "and should any new area of the said township of Sandwich East or of Sandwich West be included it shall likewise be entitled to representation on the Commission under this section if the township within which it is situate, is not already so represented."

1921, c. 99,  
s. 24, subs. 1,  
amended.  
Board of  
Health to  
consist of  
five mem-  
bers.

**4.** Subsection 1 of section 24 of the said Act is amended by striking out the word "three" in the fifth line and substituting therefor the word "five."

1921, c. 99,  
s. 28, subs. 3,  
amended.

**5.** Subsection 3 of section 28 of the said Act is repealed and the following substituted therefor:—

Fees for  
plans  
reduced.

1918, c. 38.

(3) Instead of the fees provided for in subsection 6 of section 6 of *The Planning and Development Act* as amended by the Act passed in the ninth year of the reign of His Majesty King George the Fifth, chaptered 53, the Commission may charge a sum not less than ten dollars nor greater than twenty-five dollars for the approval of any plan of a subdivision, which sum shall be paid to the Commission at the time of the deposit of the plan as provided herein.

1921, c. 99,  
s. 28, subs. 4,  
cl. a,  
amended.

**6.** Clause *a* of subsection 4 of section 28 of the said Act is repealed and the following substituted therefor:—

Procedure  
to obtain  
approval  
of plans.  
Rev. Stat.  
c. 124.

(a) Such persons shall submit to the Commission a plan of the proposed subdivision prepared in accordance with the provisions of *The Registry Act* together with such copies or blue prints as the Commission may direct and shall obtain from the Council of each Municipality within which any part of the land is situate written approval of the plan.

1921, c. 99,  
s. 28, subs. 4,  
cls. b and c  
repealed.

**7.** Clauses *b* and *c* of subsection 4 of section 28 are hereby repealed and the following substituted therefor:—

(b) Upon receipt of such approval the Commission may, after hearing any parties who have notified the Commission in writing that they desire to be heard, approve, reject or direct changes to be made in the plan.

1921, c. 99,  
s. 28, subs. 4,  
cl. d,  
amended

**8.** Clause *d* of subsection 4 of section 28 of the said Act, as amended by 1922, c. 109, s. 5, is further amended by striking



out the letter “(d)” at the beginning thereof and substituting therefor the letter “(c),” and by striking out the words “and the Municipal Board” at the end thereof.

**9.** Clause *e* of subsection 4 of section 28 of the said Act is <sup>1921, c. 99,</sup> amended by striking out the letter “(e)” at the beginning <sup>s. 28, subs. 4,</sup> and substituting therefor the letter “(d).” <sup>cl. e,</sup> <sup>amended.</sup>

**10.** Section 28 of the said Act is amended by adding <sup>1921, c. 99,</sup> thereto the following subsection:— <sup>s. 28,</sup> <sup>amended.</sup>

- (6) For the purpose of preventing the conveyance of lands by metes and bounds to avoid the registry of a plan of a subdivision and the proper laying out of streets, the Commission may register with the Registrar of Deeds in the Registry Division of the county of Essex from time to time one or more plans, accompanied by a description of one or more areas of land within the jurisdiction of the Commission which in the opinion of the Commission is ready for subdivision and which has not already been subdivided according to a plan approved under *The Planning and Development Act* and thereafter no agreement of sale, deed of conveyance, or mortgage in fee containing a description by metes and bounds of a parcel of land within such areas shall be accepted by the said Registrar for registration without the consent in writing of the Commission endorsed thereon.

**11.** Subsection 4 of section 24 of the said Act is hereby amended by striking out all the words in the said subsection after the word “discontinued” in the sixth line and substituting therefor: “but those portions of the Townships of Sandwich West and Sandwich East set out in Schedules “A” and “C” hereto so long as they are not included in any urban municipality, shall not be included within the jurisdiction of the Local Board of Health for the Essex Border Municipalities.” <sup>Townships</sup> <sup>excluded</sup> <sup>from the</sup> <sup>Board of</sup> <sup>Health.</sup>

**12.** Schedule “A” to the said Act is repealed and the following substituted therefor:— <sup>1921, c. 99,</sup> <sup>Sched. “A,”</sup> <sup>repealed.</sup>

## SCHEDULE "A".

All that part of the Township of Sandwich West bounded as follows: On the West by the Detroit River; on the North by the Towns of Sandwich and Ojibway and the City of Windsor; on the East by the line between the Townships of Sandwich East and Sandwich West as far South as the road in rear of the 3rd Concession; on the South by the road in rear of the 3rd Concession from the line between the Townships of Sandwich East and Sandwich West to the Huron Church Line, by the Huron Church Line as far South as the Northerly limit of farm lot 34, by the Northerly limit of farm lot 34, from the Huron Church Line to the Malden Road and the Town of Ojibway, then by the Malden Road as far South as the Northerly limit of lot 25 in the First Concession of the Township of Sandwich West, thence Westerly by the Northerly limit of said farm lot 25 to its intersection with the harbour line of the Detroit River.

1921, c. 99,  
Sched. "C,"  
repealed.

**13.** Schedule "C" to the said Act is repealed and the following substituted therefor:—

## SCHEDULE "C"

All that portion of the Township of Sandwich East bounded as follows: On the East by the Pillette Road, on the South by the road in rear of the third Concession, on the West by the line between the Township of Sandwich East and the Township of Sandwich West, on the North by the Town of Ford City, the City of Windsor and the Town of Walkerville.

## CHAPTER 94.

An Act to validate certain Debentures of the  
Essex Border Utilities Commission.*Assented to 17th April, 1924.*

**W**HEREAS the Essex Border Utilities Commission was Preamble.  
 established by an Act passed in the sixth year of the  
 reign of His Majesty King George the Fifth, chaptered 98,  
 with power to issue debentures for the purposes set out  
 therein; and whereas the said Commission did pass By-law  
 No. 31 on the 15th day of January, 1924, to authorize the  
 issue of debentures to pay for the purchase of a hospital site  
 and did on the 15th day of June, 1922, pass By-law No. 17  
 to pay the cost of certain town planning expenditures and  
 did amend the same by By-law No. 32 passed on the 15th  
 day of January, 1924, to increase the rate of interest provided  
 therein; and whereas certain irregularities have appeared in  
 regard to same and the said Commission has by its petition  
 prayed that the same may be validated; and whereas it is  
 expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and  
 consent of the Legislative Assembly of the Province of  
 Ontario, enacts as follows:—

**1.** By-law No. 31 of the Essex Border Utilities Commission, By-law  
No. 31,  
Commission  
confirmed.  
 set out in schedule "A" hereto, being a by-law to raise the  
 sum of twenty-two thousand nine hundred dollars to pay  
 the cost of purchasing a site for a general hospital, and the  
 debentures issued or to be issued thereunder, are hereby  
 declared to be legal and valid and binding upon the said  
 Commission and upon the city of Windsor, the towns of  
 Walkerville, Sandwich, Ford City, Riverside and Ojibway,  
 and the township of Sandwich West in accordance with the  
 provisions of *The Consolidated Essex Border Utilities Act.* 1921, c. 99.

**2.** By-law No. 17 of the Essex Border Utilities Commission By-laws Nos.  
17 and 32,  
Commission  
confirmed.  
 set out in schedule "B" hereto, being a by-law to authorize  
 the borrowing of the sum of eighteen thousand dollars by the  
 issue of debentures for the purpose of paying for certain  
 reports on town planning, and By-law No. 32 of the Essex  
 Border Utilities Commission, set out in schedule "C" hereto,

being

1921, c. 99.

being a by-law to amend By-law No. 17, and the debentures issued or to be issued thereunder, are declared to be legal and valid and binding upon the said commission and upon the city of Windsor, the towns of Walkerville, Sandwich, Ford City, Riverside, Tecumseh, Ojibway and the township of Sandwich West in accordance with the provisions of *The Consolidated Essex Border Utilities Act*.

### SCHEDULE "A".

#### BY-LAW NO. 31 OF THE ESSEX BORDER UTILITIES COMMISSION.

A By-law to raise the sum of Twenty-two Thousand Nine Hundred Dollars (\$22,900.00) by the issue of debentures for the purpose of purchasing a site for a General Hospital.

Whereas the Consolidated Essex Border Utilities Commission Act provides that the Essex Border Utilities Commission may establish a General Hospital, and it is necessary to acquire a site therefor.

And whereas pursuant to the provisions of the said Act, the Essex Border Utilities Commission did employ J. Clark Keith to make the preliminary examinations and survey of the proposed work and to make a report, estimate and apportionment of the cost thereof, and accordingly the said J. Clark Keith did on the 5th day of May, 1922, make his report, estimate and apportionment of the cost.

And whereas the Essex Border Utilities Commission did adopt the said report and did file the same with each of the Essex Border Municipalities who would become liable for the whole or any part of the said cost, on the 22nd day of July, 1922, except the Township of Sandwich West, and did file the same with the said Township on the 23rd day of July, 1922.

And whereas the said report showed the estimated cost of the said site for the General Hospital to be the sum of Twenty-two Thousand Nine Hundred Dollars (\$22,900.00).

And whereas upon appeal from the said report to the Ontario Railway and Municipal Board pursuant to the provisions of the Consolidated Essex Border Utilities Act, the proportions charged upon each of the Essex Border Municipalities liable under the said report were confirmed as appears by the Order of the said Board, dated the 12th of October, 1922.

And whereas the proportions of the cost of the said Hospital Site to be borne by the several Municipalities as appears by the said report is as follows:—

City of Windsor.....	\$14,812.83
Town of Walkerville.....	2,857.90
Town of Sandwich.....	1,800.17
Town of Ford City.....	1,870.29
Town of Riverside.....	699.07
Township of Sandwich West.....	204.84
Town of Ojibway.....	654.90
	<hr/>
	\$22,900.00

And whereas pursuant to the said Act the purchasing of a site for a General Hospital was submitted to the electors of the Essex Border Municipalities entitled to vote on money by-laws for their approval and was so approved by the said electors, on the day set out opposite each Municipality respectively, that is to say:—

City of Windsor.....	3rd day of December, 1923
Town of Walkerville.....	11th day of December, 1922
Town of Sandwich.....	7th day of January, 1924
Town of Ford City.....	1st day of January, 1923
Town of Riverside.....	2nd day of December, 1923
Township of Sandwich West.....	1st day of January, 1923

and was approved by the majority of the Council of the Town of Ojibway on the 14th day of January, 1924.

And whereas the Essex Border Utilities Commission deems it expedient to proceed with the purchasing of a site for a General Hospital and to authorize the payment of the cost thereof by the issue of debentures.

And whereas it is therefore desirable to raise the said sum of Twenty-two Thousand Nine Hundred Dollars (\$22,900.00) being the amount of the debt intended to be created by this by-law by the issue of debentures which should be spread over a period of thirty years and be payable in thirty annual instalments during the said period, the said instalments respectively to be of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to that required in any other year.

And whereas it will require the sum of One Thousand Six Hundred and Nineteen Dollars and Forty-one cents (\$1,619.41) to be raised annually during the said period of thirty years by special rates sufficient therefor over and above and in addition to all other rates upon all the rateable property of each of the municipalities which approved of the purchasing of a site for a General Hospital, namely, City of Windsor, Towns of Walkerville, Sandwich, Ford City, Riverside and Ojibway, and that portion of the Township of Sandwich West described in Schedule "A" of the Consolidated Essex Border Utilities Act for the payment of the debt so to be created and the interest thereon annually at the rate of five and three-quarters per cent. per annum.

And whereas the amount of the whole rateable property of each of the said municipalities including that portion of the Township of Sandwich West mentioned in Schedule "A" of the Essex Border Utilities Act according to the last revised assessment roll thereof as certified by the County Judge of the County of Essex is as follows:—

City of Windsor.....	\$54,651,125.00
Town of Walkerville.....	12,439,642.00
Town of Sandwich.....	6,538,512.00
Town of Ford City.....	6,158,621.00
Town of Riverside.....	2,901,708.00
Town of Ojibway.....	1,554,696.00
Township of Sandwich West (portion).....	1,118,950.00

exclusive of property assessed for school rates only.

And whereas the amount of the existing debenture debt of each of the said municipalities, including that portion of the Township of Sandwich West mentioned in Schedule "A" of the Essex Border Utilities Act, exclusive of local improvements debts secured by special rates of assessment is as follows:—

City of Windsor.....	\$6,261,601.15
Town of Walkerville.....	356,480.23
Town of Sandwich.....	388,922.19
Town of Ford City.....	327,852.10
Town of Riverside.....	66,586.39
Town of Ojibway.....	40,427.21
Township of Sandwich West (portion).....	51,679.62

no part of which debt nor of the interest thereon is due or in arrear.

Therefore the Essex Border Utilities Commission enacts as follows:—

1. For the purpose of paying the cost of purchasing a site for the General Hospital shown in the report of J. Clark Keith, dated the 5th day of May, 1922, and approved by the electors entitled to vote on money by-laws of the Essex Border Municipalities, the Essex Border Utilities Commission shall raise the sum of Twenty-two Thousand Nine Hundred Dollars, (\$22,900.00) by the issue of debentures and the Chairman of the Commission shall be and he is hereby authorized and empowered to borrow from any person, company, society or bank willing to loan the same upon the credit of the said debentures a sum not exceeding the sum of \$22,900.00 the said debentures shall bear interest at the rate of five and three-quarters per cent. per annum and shall be payable in thirty annual instalments during the thirty years next after the time when the same are issued and the respective amounts of principal and interest payable in each year shall be as follows:—

<i>No.</i>	<i>Principal</i>	<i>Interest</i>	<i>Total</i>	<i>Year</i>
1	302.66	\$1,316.75	\$1,619.41	1925
2	320.05	1,299.36	1,619.41	1926
3	338.46	1,280.95	1,619.41	1927
4	357.92	1,261.49	1,619.41	1928
5	378.50	1,240.91	1,619.41	1929
6	400.25	1,219.16	1,619.41	1930
7	423.27	1,196.14	1,619.41	1931
8	447.61	1,171.80	1,619.41	1932
9	473.35	1,146.06	1,619.41	1933
10	500.57	1,118.84	1,619.41	1934
11	529.35	1,090.06	1,619.41	1935
12	559.78	1,059.63	1,619.41	1936
13	591.97	1,027.44	1,619.41	1937
14	626.01	992.40	1,619.41	1938
15	662.01	957.40	1,619.41	1939
16	700.08	919.33	1,619.41	1940
17	740.34	879.07	1,619.41	1941
18	782.91	836.50	1,619.41	1942
19	827.92	791.49	1,619.41	1943
20	875.52	743.89	1,619.41	1944
21	925.87	693.54	1,619.41	1945
22	979.11	640.30	1,619.41	1946
23	1,035.41	584.00	1,619.41	1947
24	1,094.95	524.46	1,619.41	1948
25	1,157.91	461.50	1,619.41	1949
26	1,224.49	394.92	1,619.41	1950
27	1,294.90	324.51	1,619.41	1951
28	1,369.36	250.05	1,619.41	1952
29	1,448.10	175.31	1,619.41	1953
30	1,531.37	88.04	1,619.41	1954

2. The said debentures shall be sealed with the seal of the Commission and signed by the Chairman and the Secretary of the said Commission and be payable on the 1st day of February in each year in which the same respectively under the preceding section becomes due at the Canadian Bank of Commerce in the City of Windsor

3. The said debentures shall have coupons attached thereto for the payment of the interest, which shall be at and after the rate of five and three-quarters per cent. per annum and be payable at the office of the Canadian Bank of Commerce in Windsor, yearly, namely on the 1st day of the month of February in each year during the currency of said debentures the first of said coupons being payable on the 1st day of February, 1925.

4. The money borrowed as aforesaid shall be expended for the purpose of paying for the cost of purchasing a site for a General Hospital, as set out in the preamble of this by-law and for no other purpose whatever.

5. For the purpose of redeeming the said debentures and paying the interest thereon as the same respectively become due a duplicate original of this by-law shall be served forthwith upon the Municipal Corporation of the City of Windsor, Towns of Walkerville, Sandwich, Ford City, Riverside and Ojibway and the Township of Sandwich West and the said Corporations are hereby required under subsection 3 of section 10 of the Consolidated Essex Border Utilities Act to levy and collect in each and every

year during the currency of the said debentures the following annual special rates over and above and in addition to all other rates, namely:—

In the City of Windsor a rate sufficient to produce.....	\$1,047.51
In the Town of Walkerville a rate sufficient to produce.....	202.10
In the Town of Sandwich a rate sufficient to produce.....	127.30
In the Town of Ford City a rate sufficient to produce.....	132.26
In the Town of Riverside a rate sufficient to produce.....	49.44
In the Town of Ojibway a rate sufficient to produce.....	46.31
In the aforesaid portion of the Township of Sandwich West a rate sufficient to produce.....	14.49
The whole being sufficient to produce the annual sum of.....	1,619.41

6. The money so levied and collected shall forthwith upon its payment be applied in payment of the said debentures and paying the interest thereon as the same respectively becomes due and for no other purpose whatever.

7. This by-law shall come into force and take effect on the final passing thereof.

C. W. HOARE,  
*Chairman.*

R. B. BRAID,  
*Secretary.*

Read first, second and third time and finally  
passed, January 15th, 1924.

#### SCHEDULE "B".

##### BY-LAW NO. 17 OF THE ESSEX BORDER UTILITIES COMMISSION.

A By-law to authorize the borrowing of the sum of Eighteen Thousand Dollars (\$18,000.00) by the issue of debentures for the purpose of paying for a certain report on Town Planning in the Essex Border Municipalities.

Whereas the Consolidated Border Utilities Act, passed in the Eleventh year of the Reign of His Majesty George V, provides for the issue of debentures to pay for certain reports on proposed works in the Essex Border Municipalities after authorization by resolution of the various Council.

And whereas the Engineer of the Commission has prepared a certain report on Town Planning at a total cost of Eighteen Thousand dollars (\$18,000.00) dated June 15th, 1922.

And whereas the several Councils did by resolution authorize the raising of the money to pay for the cost of the said report by the issue of debentures and have requested the Essex Border Utilities Commission to pass a by-law accordingly.

And whereas the Essex Border Utilities Commission deems it expedient to comply with the said request and to borrow \$18,000.00 for said purpose and to issue debentures therefor as hereinafter provided which is the amount of the debt intended to be created by this by-law.

And whereas it is desirable to issue the said debentures at one time, and to make the principal of the said debt payable by yearly sums during a period of twenty years, the said yearly sums to be of such respective amounts that the aggregate amount payable in each year for principal and interest in respect of the said debt, shall be, as nearly as possible, equal to the amount so payable in each of the other nineteen years of the said period.

And whereas the total amount required to be raised annually during the period of twenty years in order to pay the said debt and the interest

thereon

thereon at five and one-half per cent. per annum by special rate, as herein-after provided, is One thousand five hundred and six dollars and twenty-three cents (\$1,506.23).

And whereas the amount of the rateable property of the Essex Border Municipalities is as follows:—

Windsor.....	\$49,768,050.00
Walkerville.....	11,039,210.00
Sandwich.....	5,804,936.00
Ford City.....	3,368,619.00
Ojibway.....	1,364,892.00
Sandwich West.....	1,396,100.00
Riverside.....	1,488,565.00
Tecumseh.....	1,075,173.00

exclusive of property assessed for school rates only.

And whereas the amount of the existing debenture debt of each of the said Municipalities exclusive of Local Improvement debts secured by special rates of assessment is as follows:—

Windsor.....	\$1,673,810.64
Walkerville.....	678,134.27
Sandwich.....	278,671.40
Ford City.....	231,578.32
Ojibway.....	65,211.10
Sandwich West.....	29,989.84
Riverside.....	37,000.00
Tecumseh.....	60,000.00

and no principal or interest is in arrear.

Therefore the Essex Border Utilities Commission enacts as follows:—

1. That for the purpose of paying the cost of the said report set out in the preamble of this by-law there shall be borrowed by the Essex Border Utilities Commission, a sum not exceeding the sum of Eighteen thousand dollars (\$18,000.00) and debentures shall be issued therefor in sums of not less than Fifty dollars (\$50.00) each, bearing interest at the rate of five and one-half per cent. per annum, and having coupons attached thereto for the payment of the interest.

2. The said debentures shall all bear the same date, and shall be payable in twenty annual instalments at the Canadian Bank of Commerce, in the city of Windsor, and the respective amounts of principal and interest shall be payable on the first day of February in each of such years, and shall be as follows:—

No.	Principal	Interest	Total	Year.
1.	\$516 23	\$990 00	\$1,506 23	1924
2	544 62	961 61	1,506 23	1925
3	574 58	931 65	1,506 23	1926
4	606 18	900 05	1,506 23	1927
5	639 52	866 71	1,506 23	1928
6	674 70	831 53	1,506 23	1929
7	711 80	794 43	1,506 23	1930
8	750 93	755 30	1,506 23	1931
9	792 25	713 98	1,506 23	1932
10	835 82	670 41	1,506 23	1933
11	881 79	624 44	1,506 23	1934
12	930 29	575 94	1,506 23	1935
13	981 46	524 77	1,506 23	1936
14	1,035 44	470 79	1,506 23	1937
15	1,092 38	413 85	1,506 23	1938
16	1,152 47	353 76	1,506 23	1939
17	1,215 85	310 38	1,506 23	1940
18	1,282 72	223 51	1,506 23	1941
19	1,353 28	152 95	1,506 23	1942
20	1,427 71	78 52	1,506 23	1943



3. The Chairman of the Commission or the Vice-Chairman shall sign and issue the debentures, and they shall be sealed with the seal of the Commission and signed by the Secretary thereof.

4. That the said debentures shall have coupons attached thereto for the payment of the interest, which shall be at the rate of five and one-half per cent. per annum and be payable at the office of the Canadian Bank of Commerce in Windsor, yearly, namely, on the first day of the month of February in each year during the currency of the said debentures and the first of said coupons being payable on the first day of February, 1924.

5. That the money borrowed as aforesaid shall be expended for the purpose of paying for the cost of a certain report on Town Planning in the Essex Border Municipalities as set out in the preamble of this by-law and for no other purpose whatever.

6. That for the purpose of redeeming the said debentures and paying the interest thereon as the same respectively becomes due a duplicate original of this by-law shall be served forthwith upon the municipal Corporations of the City of Windsor, Towns of Walkerville, Sandwich, Ford City, Ojibway, Riverside and Tecumseh, and the Township of Sandwich West, and the said Corporations are hereby required under Section (10) of the Consolidated Border Utilities Act to levy and collect in each and every year during the currency of the said debentures upon all the rateable property of each of the said municipalities the following annual special rates over and above and in addition to all other rates, namely,

In the City of Windsor a rate sufficient to produce.	\$210 87
In the Town of Walkerville a rate sufficient to produce.....	210 87
In the Town of Ford City a rate sufficient to produce	210 87
In the Town of Sandwich a rate sufficient to produce	210 87
In the Town of Ojibway a rate sufficient to produce.	210 87
In the Town of Sandwich West a rate sufficient to produce.....	210 87
In the Town of Riverside a rate sufficient to produce	166 30
In the Town of Tecumseh a rate sufficient to produce	74 71
The whole being sufficient to produce the annual sum of.....	1,506 23

7. This by-law shall come into force and take effect on the final passing thereof.

Read a 1st, 2nd and 3rd time and finally passed this —th day of June, A.D. 1923.

C. W. HOARE,  
*Chairman.*

R. B. BRAID,  
*Sec'y.-Treas.*

## SCHEDULE "C".

## BY-LAW NO. 32 OF THE ESSEX BORDER UTILITIES COMMISSION.

## A By-law to amend By-law Number 17.

Whereas it is desirable to change the date upon which the debentures set out in the said by-law shall come due and the rate of interest and to make such other changes as may be incidental thereto.

Therefore the Essex Border Utilities Commission enacts as follows:

1. By-law No. 17, a by-law to authorize the borrowing of the sum of Eighteen Thousand Dollars (\$18,000.00) by the issue of debentures for the purpose of paying for a certain report on Town Planning in the Essex Border Municipalities is hereby amended by striking out the words "five and one-half" in the 6th clause of the preamble and substituting therefor the words "five and three-quarters."

2. The said by-law is further amended by striking out the words and figures One Thousand Five Hundred and Six Dollars and Twenty-Three cents (\$1,506.23) in the 6th clause of the preamble and substituting therefor the words and figures "Fifteen Hundred and Thirty-Seven Dollars and Sixty-three cents" (\$1,537.63).

3. Section 1 of the said by-law is hereby amended by striking out the words "five and one-half per cent." and substituting therefor the words "five and three-quarters per cent."

4. Section 2 of the said by-law is hereby amended by striking out the schedule of the amounts of the debentures payable each year and substituting therefor the following:—

<i>No.</i>	<i>Principal</i>	<i>Interest</i>	<i>Total</i>	<i>Year</i>
1	502 62	1,035 00	1,537 62	1925
2	531 53	1,006 09	1,537 62	1926
3	562 09	975 53	1,537 62	1927
4	594 41	943 21	1,537 62	1928
5	628 59	909 03	1,537 62	1929
6	664 74	872 78	1,537 62	1930
7	702 96	834 66	1,537 62	1931
8	743 39	794 23	1,537 62	1932
9	786 13	751 49	1,537 62	1933
10	831 33	706 29	1,537 62	1934
11	879 13	658 49	1,537 62	1935
12	929 68	607 94	1,537 62	1936
13	983 14	554 48	1,537 62	1937
14	1,039 67	497 95	1,537 62	1938
15	1,099 45	438 17	1,537 62	1939
16	1,162 67	374 95	1,537 62	1940
17	1,229 51	308 11	1,537 62	1941
18	1,300 21	237 41	1,537 62	1942
19	1,374 97	162 85	1,537 62	1943
20	1,453 78	83 84	1,537 62	1944

5. Section 4 of the said by-law is hereby amended by striking out the words "five and one-half" therefrom and substituting therefor the words "five and three-quarters."

6. Section 6 of said by-law is hereby amended by striking out the list of Municipalities and the column of figures set out opposite each and substituting the following therefor:—

In the City of Windsor a rate sufficient to produce	\$214 77
In the Town of Walkerville a rate sufficient to produce.....	214 77
In the Town of Ford City a rate sufficient to produce.....	214 77
In the Town of Sandwich a rate sufficient to produce.....	214 77
In the Town of Ojibway a rate sufficient to produce	214 77
In the Township of Sandwich West a rate sufficient to produce.....	214 77
In the Town of Riverside a rate sufficient to produce.....	169 77
In the Town of Tecumseh a rate sufficient to produce.....	79 23
The whole being sufficient to produce the annual sum of.....	1,537 62

7. This By-law shall come into force and effect upon the final passing thereof.

Read first time  
Read second time  
Read third time  
and finally passed )

C. W. HOARE,  
*Chairman.*

R. B. BRAID,  
*Secretary*

## CHAPTER 95.

## An Act respecting the Township of Etobicoke

*Assented to 17th April, 1924.*

Preamble.

**W**HEREAS the corporation of the township of Etobicoke has by its petition represented that the township of Etobicoke is a township adjoining the corporations of the city of Toronto, the town of Mimico and the town of New Toronto, and that its population is rapidly increasing in those portions of the township adjoining the said urban municipalities, and that (a) a large school has been erected in school section 11 of the said township situate close to the town of Mimico and that it is desired to instal a sewer for the purpose of connecting the said school with the sewerage system of the town of Mimico; (b) it is desired to enter into agreements with the adjoining municipalities for the purpose of admitting sewage into the systems of the adjoining municipalities; (c) a number of water systems have already been installed in the said township under *The Township of Etobicoke Act, 1923*, and certain amendments are desired to the said Act, looking to the better working out of its provisions; and whereas the said corporation has by its petition prayed that an Act may be passed for the above mentioned purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Township of Etobicoke Act, 1924*.

**2.** The council of the corporation of the township of Etobicoke may pass by-laws:

Levying cost  
of certain  
sewer as  
school rate.

**1.** To provide that the total of the cost of and incidental to the construction of an eight-inch sewer to connect the Grant Avenue Public School in the said township with the sewerage system of the town of Mimico, shall be charged and

levied

levied as a school rate upon and from all the rateable property within school section 11 of the said township.

2. To borrow upon the credit of the corporation at large <sup>Borrowing power.</sup> from time to time the money necessary for carrying out the said works and to issue debentures to the requisite amount as public school debentures, and levy such sums as may be requisite for the purpose of paying the debentures and interest by annual rates pursuant to *The Public Schools Act*. <sup>1920, c. 100.</sup>

3. The said council and the council of any adjoining <sup>Agreements for use of sewers in adjoining municipalities.</sup> municipality may arrange terms and enter into agreements for admission of sewage from the township of Etobicoke into the sewers and works of such adjoining municipalities or from such adjoining municipalities into sewers and works of the said township, and may charge any cost incidental to such arrangements, or agreed to be paid thereunder to the area or section benefited thereby.

4.—(1) Subsection 2 of section 2 of *The Township of Etobicoke Act, 1923* is repealed and the following substituted <sup>1923, c. 62, s. 2 (2), repealed.</sup> therefor:—

(2) To provide in any such by-law that the whole cost <sup>Levy of costs.</sup> of acquiring, constructing or extending any work undertaken pursuant to the powers given by this Act shall be charged and levied upon and from all the real property in any such defined sections or areas, and that such cost shall include, in addition to the ordinary cost of construction, the cost of all connections, mains, including part of the cost of mains used both as trunk and branch mains, hydrants, stop-cocks, fittings and appliances of every kind whatsoever, and including those parts of the work situate at street intersections in connection with the system, as well as any claim for damages arising out of, or incidental to, the acquiring, construction or maintenance of said works and as well as what would be the corporation's share of any branch mains or other works carried out under subsection 3 of this section or under *The Local Improvement Act*. <sup>Rev. Stat., c. 193.</sup>

(2) Subsection 3 of the said section is repealed and the following substituted therefor:— <sup>1923, c. 62, s. 2 (3), repealed.</sup>

(3) The council of the said township may undertake as a local improvement, the construction and installation of branch water mains, service pipes, stop-cocks and appliances, and all necessary works,

appliances

appliances and apparatus upon any streets within any such defined areas and may in the by-law for undertaking the work provide that any part of the cost which otherwise would be the corporation's portion of the cost may be levied and collected by a special rate on all the real property in such defined section or area or any extension thereof and that the remainder of the cost of such work shall be specially assessed against the lots fronting or abutting on the work, as provided by *The Local Improvement Act*.

1923, c. 62,  
s. 2, subs. 4,  
repealed.

(3) Subsection 4 of the said section is repealed and the following substituted therefor:—

Mains used  
both as  
trunk mains  
and branch  
mains.

- (4) To provide that, notwithstanding anything contained herein, where a main or water pipe is used both as a trunk main and a distributing main, such part of the cost of construction thereof, including any claim for compensation or for damages arising out of or incidental to the same, as the engineer of the municipal corporation of the township of Etobicoke may determine shall be raised as provided in subsection 2, as to works performed under subsection 1 of this section, and the balance therefor as provided in subsection 3, for works designated in subsection 3 of this section, or as a local improvement, and that debentures issued therefor shall be for the respective periods authorized under section 3. The provisions of this subsection shall apply to any by-laws heretofore passed by the township under section 1 of the Act passed in the eighth year of the reign of His Majesty King George the Fifth, chaptered 81.

1923, c. 62,  
s. 3,  
repealed.

5. Section 3 of the said Act is repealed and the following substituted therefor:—

Power to  
borrow  
money for  
works  
authorized  
by section 2.

- (3) The council of the said municipality may pass by-laws to borrow, on the credit of the corporation at large, from time to time, the money necessary for carrying out the works designated in section 2, and may issue debentures to the requisite amount, payable within thirty years from their issue, in respect to the works designated in subsections 1 and 2 of section 2 and in respect of the area's portion of the cost of the works designated in subsection 4 of section 2, and within twenty years, in respect to the owners' part of the work designated in subsection 3 of section 2, and shall levy such sums as may be requisite

for the purpose of paying the debentures and interest by annual special rates on the dollar, according to the revised assessment roll from year to year, upon all the real property liable therefor contained in any such sections or areas or as to debentures for the owners' portion under subsection 3 of section 2 as provided by *The Local Improvement Act*.

**6.** Section 7 of the said Act is amended by striking out all the words down to and including the word "passed" in the seventh line and substituting therefor the words "*The Local Improvement Act* and any amendments thereto not inconsistent herewith." 1923, c. 62, s. 7, amended.

**7.** The provisions of section 4, 5 and 6 hereof shall apply to any by-laws heretofore passed by the said township under the Act passed in the eighth year of the reign of His Majesty King George the fifth, chaptered 81, *The Township of Etobicoke Act*, 1923, or *The Local Improvement Act*. Application of amendments to certain by-laws.

**8.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 96.

An Act respecting the Town of  
Ford City.

*Assented to 17th April, 1924.*

## Preamble

**W**HEREAS the corporation of the town of Ford City has by its petition prayed that an Act may be passed ratifying and confirming By-law No. 472 of the said town passed on the 21st day of September, 1923, respecting the construction of a certain pavement and water main referred to therein; and whereas, it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

## Short title.

**1.** This Act may be cited as *The Town of Ford City Act, 1924.*

By-law  
No. 472  
Town of  
Ford City  
confirmed.

**2.** Subject to the provisions hereinafter contained By-law No. 472 of the corporation of the town of Ford City passed on the 21st day of September, 1923, set forth in schedule "A" to this Act, respecting the construction of a certain pavement and water main therein mentioned is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and is hereby declared to authorize the construction of the paving of the Hydro strip mentioned in the engineer's report referred to in said by-law.

Apportion-  
ment of cost.

**3.** The council of the said corporation shall by by-law assume as the corporation's portion of the cost the following:

- (a) The whole cost of said water main;
- (b) Thirty per cent. of the cost of that part of the said pavement known as the Hydro strip and which Hydro strip is more particularly described in the engineer's report referred to in said By-law No. 472;
- (c) Thirty per cent. of the cost of the balance of said pavement exclusive of street intersections;

(d)



(d) The cost of said pavement at street intersections.

4. The said council may provide in respect of all of said works for the making of a special assessment roll and the holding of a Court of Revision for the hearing of complaints against the proposed special assessment and the provisions of sections 31 to 39 inclusive of *The Local Improvement Act* shall apply to the same.

5. Upon the said special assessment roll being certified by the clerk of the corporation the council may borrow on the credit of the corporation at large such sums as may be necessary to defray the cost of all of said works including the corporation's portion of the cost and may issue debentures for the sum so borrowed and the provisions of sections 40 to 44 inclusive of *The Local Improvement Act* shall apply thereto.

6. The costs of this application and of the litigation in respect of said by-law may be included in the cost of said works and borne by the corporation at large.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "A".

### BY-LAW No. 472.

A by-law of the Town of Ford City to authorize the construction of a concrete pavement with bituminous top, forty-two feet (42) in width on Sandwich Street, between the west limit of the Corporation and Strabane Avenue, in the Town of Ford City, as a local improvement under the provisions of the Local Improvement Act.

Whereas it is expedient that the construction of the said work hereinafter described shall be undertaken as a local improvement and notice of the intention of the Council to undertake the said work has been duly published.

Therefore the Municipal Council of the Corporation of the Town of Ford City enacts as follows:—

1. That it is determined and declared this by-law being passed by a vote of two-thirds of all the members of the Council, that it is desirable that the construction of a concrete pavement with a bituminous top, forty-two feet (42) in width, on Sandwich Street, between the west limit of the Town of Ford City and Strabane Avenue, and to be done in accordance with the plan and report of H. W. Patterson, filed with the Clerk of the Municipality, should be undertaken as a local improvement under the provisions of the Local Improvement Act.

2. That as above determined and declared, the said concrete pavement with a bituminous top, being of the width of forty-two feet (42) on Sandwich Street from the west limit of the Corporation to Strabane Avenue in the Town of Ford City, be constructed as a local improvement under the provisions of the Local Improvement Act.

2a. That by virtue of the powers vested in the Council by section 4 of the Local Improvement Act, before proceeding with the said pavement a 12-inch cast iron water main, which is hereby declared to be necessary, be constructed as part of the work of construction of said pavement from Strabane Avenue along Sandwich Street to the west limit of the Corporation, as a local improvement under the provisions of the Local Improvement Act.

3. That the Engineer of the Corporation do forthwith make such plans, profiles and specifications and furnish all such information as may be necessary for the making of a contract for the execution of the work.

4. That the work shall be carried on and executed under the superintendence and according to the directions and orders of such engineer.

5. That the Mayor and Clerk are authorized to cause a contract for the construction of the work to be made and entered into with some person or persons, firm or corporation, subject to the approval of this Council to be declared by resolution.

6. That the Treasurer may (subject to the approval of this Council) agree with any bank or person for temporary advances of money by way of overdraft to meet the cost of the work pending the completion of it.

7. That the special assessment shall be paid by fifteen annual instalments.

8. That the debentures to be issued for the loan to be affected to repay such advances, and to pay for the cost of the work when completed, shall bear interest at six per centum per annum (6%) and be made payable within fifteen years on the instalment plan, and in settling the sum to be raised annually to pay the debt, the rate of interest on investments shall not be estimated at more than four per centum (4%) per annum.

9. That any person whose lot is specially assessed may commute for a payment in cash the special rates imposed thereon by paying the portion of the cost of construction assessed upon such lot, without interest, forthwith after the special assessment roll has been certified by the Clerk, and at any time thereafter by the payment of such sum as when invested at four per centum (4%) per annum will provide an annuity sufficient to pay the special rates for the unexpired portion of the term as they fall due.

Passed this 21st day of September, 1923.

(Sgd.) U. G. REAUME,  
*Mayor.*

(Sgd.) J. F. FOSTER,  
*Clerk.*

## CHAPTER 97.

## An Act respecting the City of Fort William.

*Assented to 17th April, 1924.*

**W**HEREAS the corporation of the city of Fort William Preamble.  
has by petition represented that the rateable property of the said city, as appears by the last revised assessment roll of the said city, is \$28,282.955 plus a sufficient further amount to produce \$30,000 in taxes each year, such said sum of \$30,000 being the fixed sum which the Canadian Pacific Railway Company is bound to pay yearly in lieu of all municipal taxation, and that the present debenture debt of the said city is \$5,993,645.97, made up as follows:—

Street Railway Debenture Debt. . . .	\$1,317,000 00
Water Works Debenture Debt. . . . .	1,426,227 63
Electric Light Debenture Debt. . . . .	290,762 30
General Debenture Debt. . . . .	1,577,630 33
Telephone Debenture Debt. . . . .	377,500 00
School Debenture Debt. . . . .	1,004,525 71

of which no part of the principal or interest is in arrear and for the payment of which a sinking fund of \$3,216,224.55 has been provided; and whereas the said city has by petition prayed for special legislation in respect of the matters herein-after set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The City of Fort William Act*, Short title. 1924.

**2.** All assessment rolls of the corporation of the city of Fort William heretofore finally revised, all collectors' rolls of the corporation of the city of Fort William heretofore returned by the collectors thereof, and all collectors' returns of the corporation of the city of Fort William heretofore made are hereby validated and confirmed and declared to be binding upon and conclusive against all persons, parties or corporations affected thereby, notwithstanding any irregularity, Confirmation of assessment and collectors' rolls.

fault

fault or omission in the said assessment rolls, collectors' rolls or collectors' returns or in any matter or thing done or omitted to be done in relation thereto, including failure to distrain, and notwithstanding anything contained in any Act or Acts to the contrary.

Sales of land for taxes made prior to 31st Dec., 1922, confirmed.

**3.**—(1) All sales of land made prior to the 31st day of December, 1922, and which purported to have been made by the corporation of the city of Fort William for arrears of taxes in respect of the lands so sold, are hereby validated and confirmed, and all deeds of the lands so sold, executed, or which may or shall hereafter be executed, by the proper officers of the corporation of the city of Fort William, purporting to convey the said lands so sold to the purchaser thereof, or his assigns, are hereby validated and confirmed, and shall be deemed to have had the effect of vesting the lands so sold and conveyed or purported to have been sold and conveyed, and the same are hereby vested in the purchaser or his assigns and his and their heirs and assigns in fee simple, free from and clear of and from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns and of all charges and encumbrances thereon and dower therein, except taxes accrued since those for non-payment whereof the said lands were so sold.

Purchase by corporation.

(2) This section shall extend and apply to cases where the corporation of the city of Fort William or any one in trust for it or on its behalf, became the purchaser or grantee of any of such lands.

Pending litigation not affected.

(3) Nothing in this section contained shall affect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed.

Authority to borrow money to construct highway to Chippewa Park.

**4.** For the purpose of enabling the city to raise the moneys required to construct the public highway to Chippewa Park provided for in subsection 3 of section 1 of *The City of Fort William Act, 1922*, the council of the said city may, without obtaining the assent of the electors or ratepayers, issue debentures of the said city payable within ten years from the date of issue thereof and bearing interest at such rate as the council deems meet.

Authority to sell gravel, stone, etc.

**5.** The city may sell and enter into contracts for the supplying of rock, stone and gravel, crushed or otherwise, on such terms as the council may from time to time decide.

Commencement of Act.

**6.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 98.

An Act to consolidate the Floating Debt of  
the Town of Georgetown.*Assented to 17th April, 1924.*

**W**HEREAS the municipal corporation of the town of Preamble,  
Georgetown has by its petition represented that such  
corporation has incurred partly on current account and partly  
for the purposes of general improvements of a permanent  
character in excess of the debentures issued for the payment  
of the same, a floating indebtedness to the extent of ten  
thousand dollars, (\$10,000) said improvements being, namely:  
(a) Constructing roads and making improvements of a per-  
manent character in connection with the same; (b) purchase  
of fire truck and equipment; (c) auxiliary water-works system;  
(d) purchase of park and Public School lands; and that to pay  
off the said floating indebtedness of ten thousand dollars  
now due and owing and to pay in addition thereto the ordinary  
annual expenditures would be unduly oppressive to the  
ratepayers of the said town; and whereas the said corporation  
has prayed that the said floating indebtedness of ten thousand  
dollars be consolidated, and that it may be authorized to  
borrow by the issue and sale of debentures sufficient to  
discharge the said floating indebtedness; and whereas it is  
expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and con-  
sent of the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

1. This Act may be cited as *The Town of Georgetown Act*, Short title.  
1924.

2. The floating debt of the corporation of the town of Floating  
debt con-  
solidated at  
\$10,000  
Georgetown is consolidated at the sum of ten thousand  
dollars (\$10,000) and the said corporation may borrow by a  
special issue of debentures a sum not exceeding ten thousand  
dollars (\$10,000) for the purpose of paying the said floating  
debt.

3. The said debentures shall be made payable in not more Term of  
debentures  
and  
interest.  
than ten years from the date of issue thereof, and shall

bear

bear interest at a rate not exceeding six per centum per annum, and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

Equal  
annual  
instalments  
of principal  
and  
interest.

4. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

Special  
rate

5. The said corporation shall levy in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application  
of proceeds  
of de-  
bentures.

6. The debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt and for no other purpose.

Assent of  
electors not  
required.

7. It shall not be necessary to obtain the assent of the electors of the town of Georgetown to the passing of any by-law which shall be passed under the authority of this Act or to observe the formalities in relation thereto prescribed by *The Consolidated Municipal Act, 1922*.

Irregularity  
in form  
not to  
invalidate  
debentures

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer  
to keep  
proper  
books of  
account.

9. It shall be the duty of the treasurer, for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act and the respective amounts, payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be

realized

realized from the sales or negotiations of the said debentures, and the application which shall, from time to time, be made of the said amounts; and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town, and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

**10.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act

## CHAPTER 99.

An Act to consolidate the Floating Debt of  
the Town of Goderich.*Assented to 17th April, 1924.*

Preamble.

**W**HEREAS the corporation of the Town of Goderich, by petition represented that the said corporation has incurred a floating debt of \$25,000, which has arisen by reason of certain industries which had been bonused failing to meet their obligations to the corporation and by reason of yearly deficits on current account from time to time, and which have been carried by the town's bank, and whereas the said corporation has prayed that an Act may be passed to authorize the said corporation to borrow \$25,000, and to issue debentures for the purpose of discharging the said debt; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Town of Goderich Act, 1924.*

Floating  
debt con-  
solidated at  
\$25,000.

**2.** The floating debt of the corporation of the Town of Goderich is consolidated at the sum of \$25,000, and the said corporation may borrow by a special issue of debentures a sum not exceeding \$25,000 for the purpose of paying the said floating debt.

Term of  
debentures  
and interest.

**3.** The said debentures shall be made payable in not more than fifteen years from the date of issue thereof, and shall bear interest at a rate not exceeding five and one-half per centum per annum, and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

Equal  
annual  
instalments  
of principal  
and interest

**4.** The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to what



is payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

5. The said corporation shall levy in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Special rate.

6. The debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt and for no other purpose.

Application of proceeds of debentures.

7. It shall not be necessary to obtain the assent of the electors of the Town of Goderich to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Consolidated Municipal Act, 1922*.

Assent of electors not required.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to inquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Irregularity in form not to invalidate debentures.

9. It shall be the duty of the treasurer, for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be realized from the sales or negotiations of the said debentures, and the application which shall, from time to time, be made of the said amounts; and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town, and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

Treasurer to keep proper books of account.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act.

## CHAPTER 100.

## An Act respecting the City of Hamilton.

*Assented to 17th April, 1924.*

## Preamble

**W**HEREAS the corporation of the City of Hamilton has by petition prayed for special legislation in respect of the several matters hereinafter set forth; and whereas the city corporation has asked for authority to pass a by-law or by-laws without submitting the same to the electors qualified to vote on by-laws for the creation of debts, for the following purposes, namely:—(a) To raise \$43,734 for providing allowances to widows, children, widowed mothers, parents, persons acting in *loco parentis*, or dependents of officers and men who died while on actual service with the naval or military forces of the British Empire and Great Britain's allies, being moneys expended in excess of the sum of \$385,000 heretofore raised for such purposes; (b) To provide \$18,675 for the city's share of the cost of the subway at the intersection of the main line of the Canadian National Railway with Kenilworth Avenue; (c) To provide \$275,000 to pay the cost of the construction of highways and bridges in the City of Hamilton, designated by the Department of Public Highways, pursuant to its order dated the 28th July, 1921, to be constructed as a connecting link between the Toronto and Hamilton Highway and York Street, and to pay the cost of acquiring lands on Burlington Heights for widening the said highway and other municipal purposes; and whereas the said corporation has also asked that an Order of the Ontario Railway and Municipal Board, dated the 18th day of March, 1920, annexing certain lands, then in the Township of Barton, to the City of Hamilton, be amended or varied by providing that all local improvement works in the said district commenced after the 1st January, 1925, shall be constructed under the provisions of *The Local Improvement Act* in like manner as local improvement works are from time to time constructed within the original boundaries of the city; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The City of Hamilton Act, 1924*. Short title.

2. The council of the corporation of the City of Hamilton may, without submitting the same to the electors qualified to vote on money by-laws, pass a by-law or by-laws authorizing the issue of debentures for the following amounts and purposes, namely:—(a) To raise \$43,734 for providing allowances to widows, children, widowed mothers, parents, persons acting in *loco parentis*, or dependents of officers and men who died while on actual service with the naval or military forces of the British Empire and Great Britain's allies, being moneys expended in excess of the sum of \$385,000 heretofore raised for such purposes; (b) To provide \$18,675 for the city's share of the cost of the subway at the intersection of the main line of the Canadian National Railway with Kenilworth Avenue; (c) To provide \$275,000 to pay the cost of the construction of highways and bridges in the City of Hamilton, designated by the Department of Public Highways pursuant to its order dated the 28th July, 1921, to be constructed as a connecting link between the Toronto and Hamilton Highway and York Street, and to pay the cost of acquiring lands on Burlington Heights for widening the said highways and other municipal purposes; and for such purposes to issue debentures of the said corporation of not less than \$100 each, the principal to be payable in twenty years at the furthest from the time or times when such debentures are issued, and to raise and levy annually by special rate on the rateable property in the said municipality such sum or sums as may be necessary for payment of the said debts and interest. The debentures to be issued under the by-law passed under this section may bear interest payable yearly or half-yearly, and at such rates as the council of the said corporation may determine.

3. The Order of the Ontario Railway and Municipal Board, dated the 18th day of March, 1920, annexing certain lands, then in the Township of Barton, to the City of Hamilton is amended by adding after section 3 thereof the following as section 3aa: Order of Municipal Board amended.

3aa. The provisions of the two preceding sections 2 and 3 of this Order shall apply to all works and undertakings mentioned in said sections which are commenced or completed prior to the 1st day of January, 1925, and all works commenced after the first mentioned date shall be constructed under the provisions of *The Local Improvement Act*, in like manner as local improvement works are constructed within the original boundaries of the said city.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 101.

## An Act respecting the City of Kingston.

*Assented to 17th April, 1924.*

## Preamble.

**W**HEREAS the corporation of the City of Kingston has by its petition represented that the by-laws hereinafter referred to as numbers 41 and 42, of the corporation of the City of Kingston, 1923, have been submitted to the electors of the corporation for their assent in accordance with the provisions of *The Consolidated Municipal Act, 1922*; and whereas of the electors who voted on the said by-laws, more than two-thirds voted in favour thereof; and whereas the said by-laws were subsequently finally passed by the affirmative vote of three-fourths of all the members of the council of the said corporation; and whereas, the said corporation has by its petition prayed that the said by-laws should be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

## Short title.

**1.** This Act may be cited as *The City of Kingston Act, 1924*.

## By-law No. 41 of 1923, confirmed

**2.**—(1) Subject to the provisions of subsection 2 By-law No. 41 of 1923 of the corporation of the City of Kingston and the agreement with the exception of paragraphs 3 and 4 thereof both of which are set forth in full in schedule "A" hereto, are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and upon Frederick William Atack, his heirs, executors, administrators and assigns.

## School and local improvement rates not affected.

(2) Nothing contained in the said by-law or agreement shall affect or apply to taxation for school purposes or local improvements.

## By-law No. 42 confirmed.

**3.** By-law No. 42 of 1923 of the corporation of the City of Kingston, set forth in full in schedule "B" hereto, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

## Commencement of Act.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE

## SCHEDULE "A".

BY-LAW No. 41, 1923.

A by-law for granting a bonus to and entering into an agreement with one Dr. Frederick William Attack and the Company he proposes to incorporate.

Passed.

Whereas it is deemed expedient and in the interest of the city and for the promotion of manufacturing in the municipality to enter into the agreement hereto annexed and to grant the land and the exemptions from taxation herein set forth and to grant such running rights as are held by the corporation on a railway siding as herein provided;

Be it therefore enacted by the Council of the Corporation of the City of Kingston as follows:—

1. The said corporation is hereby directed and empowered to enter into the contract with the said Frederick William Attack hereto annexed as part of this by-law and the Mayor and City Clerk are hereby directed and empowered to execute the same on behalf of this corporation and affix its corporate seal, and to bind thereby this corporation to the terms and conditions therein contained.

2. This by-law shall take effect on the day of the passing thereof subject to its being assented to by the electors.

THOS. B. ANGROVE,  
*Mayor.*

W. W. SANDS,  
*City Clerk.*

[SEAL]

This agreement, made in duplicate this 5th day of November, 1923  
Between:

THE CORPORATION OF THE CITY OF KINGSTON,  
(hereinafter called the "Corporation")

of the first part,

and

FREDERICK WILLIAM ATTACK,  
Doctor of Science of the Town of Arnprior, in the County of  
Renfrew, Manufacturer,  
(hereinafter called the "Party")

of the second part.

Whereas the Party of the second part proposes to incorporate a company under the Dominion Companies Act to carry on a manufacturing business in the City of Kingston;

And whereas the Corporation has agreed to grant a factory site in said city to the said company for the above purpose, and to grant certain exemptions from taxation and the right to the use of a certain railway siding adjacent to said factory site, but subject to the provisos, terms and conditions herein set out;

Now this agreement witnesseth that in consideration of the premises, the parties hereto promise and agree each with the other of them as follows—

1. The Corporation shall grant and convey to the Company by a good and sufficient deed in fee simple, clear of all encumbrances, forthwith after the Company shall as hereinafter agreed become entitled to such conveyance all those certain parcels or tracts of land and premises

situate

situate, lying and being in the City of Kingston, in the County of Frontenac, and the Province of Ontario, and being composed of lots number one, two, three, four and five as shown on plan of survey by Thomas Fraser Gibbs, Provincial Land Surveyor, of the subdivision of the south-easterly part of lot number one in the concession west of the Great Cataraqui River, formerly in the Township, now in the City of Kingston, said plan being filed in the Registry Office of the County of Frontenac on the fourth day of June, 1851, and which parcel of land may be more particularly described as follows: Commencing at the north-east corner of Orchard Street and Cataraqui Street; thence northerly along the east limit of Orchard Street a distance of 663 feet more or less to the south limit of River Street; thence easterly along the said south limit of River Street 439 feet more or less to the water's edge; thence southerly along the water's edge to the north limit of Cataraqui Street; thence westerly along the said north limit of Cataraqui street 320 feet more or less to the place of beginning, and containing an area of 5.8 acres, be the same more or less.

2. The said lands and buildings thereon and hereinafter erected thereon, together with the plant and equipment and improvements hereafter made, and every part thereof hereinafter owned by the said Company shall be exempt from taxation, including business tax, but not including taxes for school purposes or local improvement taxes, for a period of ten years from the passage of a by-law hereafter to be submitted and granting such exemption.

3. The Corporation agrees to apply at its own expense to the Legislature of the Province of Ontario at the next session thereof for an Act to confirm such a by-law, and this agreement and to use every reasonable endeavour to secure the passing of said Act, and also granting exemption upon the same terms for a further period of ten years from the expiration of the first mentioned period.

4. The Corporation shall apply at its own expense to the Legislature of the Province of Ontario at the next session thereof for an Act fixing the assessment for school purposes of the real and personal property above mentioned as owned or hereafter to be owned by the said Company as well as the business assessment to which they would be otherwise liable for a period of ten years from the passing of such Act, at the fixed sum of Twenty-five Thousand dollars, and to use all reasonable endeavours to secure the passing of the said Act.

5. The Corporation shall at its own expense and cost, concurrent with the conveyance of the said lands to the said Company, transfer to the said Company the right of the Corporation to the use in common of the railway siding adjoining said property, but subject to the terms and conditions set out in the agreement dated 20th June, 1910, between the Corporation and the North American Smelting Company, Limited.

6. The Corporation shall by its Council procure to be submitted forthwith to the electors of the Municipality of the City of Kingston qualified to vote on money by-laws, a by-law to carry out the terms of this agreement, provided that, in case the by-law on such submission shall fail to receive the assent of the electors as required by the Municipal Act, then this agreement and said by-law shall be null and void, and provided further that in case the said by-law received the assent of the said electors as by law required, the Corporation shall by its Council pass the said by-law.

7. The Company shall within two years after the passing of the said by-law build and erect on the above described land factory buildings, docks, sewers, and railway siding or sidings suitable for the purposes of the Company, at a cost of not less than Fifty Thousand dollars, and shall instal thereon other plant and equipment suitable for the purposes of the business of the Company, provided, however, that, if erection of the said buildings, docks, sewers or railway siding or sidings be delayed through strikes, labour difficulties, inability to procure building or other material or by any cause beyond the control of the Company, the said period shall be extended for a further period of time equal to the time lost by such delay or delays. Twenty-five Thousand dollars of the said

sum to be expended by the Company for the purposes above mentioned shall be expended by the Company within one year after the passing of the said by-law, provided that if the erection of the said buildings, docks, sewers or railway siding or sidings be delayed during such year through any of the causes above mentioned, the period within which the said Twenty-five Thousand dollars is to be expended shall be extended after the expiration of such year for a further period of time equal to the time lost during such year by such delay or delays, and upon the expenditure of the said Twenty-five Thousand dollars for the purposes above mentioned within the time and extended time, if any, above stipulated for the expenditure thereof of the Company shall be entitled to a conveyance of the said lands hereinbefore described free from all encumbrances. Provided that the Company shall not be entitled to such conveyance until after stock of the Company of the par value of not less than one Hundred and Fifty Thousand dollars shall have been subscribed, and not less than One Hundred Thousand dollars paid thereon, and a statutory declaration of the president or secretary of the Company accompanied by a certificate of a chartered accountant verifying the fact of such subscription and payment have been delivered by the Company to the clerk of the Corporation, which statutory declaration and certificate shall be sufficient evidence of such subscription and payment. The remaining sum of Twenty-five Thousand dollars to be expended by the company for purposes above mentioned shall be expended by the Company within the time and extended time, if any, above stipulated for the building and erection of the said factory buildings, docks, sewers and railway siding or sidings by the Company. If default be made in the expenditure of the said last mentioned sum of Twenty-five Thousand dollars within the time and extended time, if any, above stipulated for the same to be made, all exemptions from taxes to which the said Company would be entitled shall forthwith cease, and the land, buildings and erections and any and all other taxable assets or property of the Company shall thenceforth be liable to taxes and the exemptions hereby provided for shall cease.

8. The Company shall not later than one year after the expiration of the time and extended time, if any, above stipulated for the expenditure of the first sum of Twenty-five Thousand Dollars by the Company and again at the expiration of two years and extended time, if any, above stipulated for the expenditure of the further sum of Twenty-five Thousand Dollars by the Company furnish to the City Auditor of the corporation a statement verified by statutory declaration of the President, Secretary or Treasurer of the Company, showing the amounts expended by the Company during such respective periods on the erection of the said factory buildings, docks, sewers and railway siding or sidings, and the City Treasurer and City Auditor of the Corporation shall have access to all documents necessary to verify the said statements, and the Corporation shall within thirty days thereafter notify the Company as to whether or not it has satisfied the terms and obligations imposed by this agreement in regard to the erection of said buildings, docks, sewers and railway siding or sidings.

9. The Corporation shall and will suffer and permit the Company from and after the passing of the said by-law within which the Company is to expend the first sum of Twenty-five Thousand Dollars in the building and erection of factory buildings, docks, sewers and railway siding or sidings upon the said land hereinbefore mentioned to use and occupy for the purposes of this agreement, the said lands, and authorize the Company to use the railway siding adjoining the said lands during such time, subject to the terms and conditions set out in the said agreement dated the 20th day of June, 1910, between the Corporation and the North American Smelting Company, Limited, and it shall be lawful for the Company during such time to change, alter, remove or pull down all or any building or buildings, now upon the said lands.

10. It is expressly understood and agreed by and between the parties hereto that this agreement and the several terms, conditions and provisos herein contained shall be respectively binding upon the heirs, executors, administrators and assigns of the party of the second part, and upon the successors and assigns of the corporation, in all respects as if expressly named herein, and that if, and when any company hereinafter incorporated



by the Party of the Second Part shall enter into an agreement with the Corporation assuming the obligations herein assumed by the said party of the second part, he the said party of the second part shall thereby be relieved from all liability and obligations whatsoever herein contained, or arising out of this agreement.

In witness whereof the parties hereto have hereunto affixed their hands and seals, that of the Corporation being hereunto affixed by the corporate seal, under the hand of the Mayor.

Signed, sealed and delivered  
in the persence of:

THOS. B. ANGROVE,  
Mayor.

[Seal]

## SCHEDULE "B".

By-Law No. 42, 1923.

A by-law to raise by way of loan on the credit debentures of the municipality of the City of Kingston, the sum of \$12,000 for the purpose herein mentioned.

Passed.

Whereas it is expedient for the Corporation of the City of Kingston to purchase and acquire the lands hereinafter mentioned for factory purposes, and to raise the money to meet the cost of same by the issue of debentures of this Corporation.

And whereas the said lands may be described as follows: All those certain parcels or tracts of land and premises situate, lying and being in the City of Kingston, in the County or Frontenac, and the Province of Ontario, and being composed of lots number one and three, as shown on a plan of survey by Thomas Fraser Gibbs, Provincial Land Surveyor of the subdivision of the south-easterly part of farm lot number one, in the concession west of the Great Cataraqui River, formerly in the Township of Kingston, now in the City of Kingston, said plan being made for John McLean, and was filed in the Registry Office for the County of Frontenac, on the fourth day of June, 1851, and is now on file in the Registry Office for said City of Kingston as Plan No. B. 3, and which parcel of land may be more particularly described as follows: Commencing at the north-east corner of Orchard Street and Cataraqui Street; thence northerly along the east limit of Orchard Street a distance of 330 feet more or less to the south limit of lots 4 and 2; thence easterly along the said south limits of said lots 4 and 2 a distance of 391 feet more or less to the water's edge; thence southerly along the water's edge to the north limit of Cataraqui Street a distance of 340 feet more or less; thence westerly along the said north limit of Cataraqui Street 320 feet more or less to the place of beginning, and containing by admeasurement 2.7 acres, be the same more or less and being composed of lot number one on Cataraqui Street and lot number three on the north-east corner of Cataraqui and Orchard Streets, as laid down on the map of the City of Kingston prepared by J. Innis, Civil Engineer, and containing by admeasurement 2 and 697-1000 acres of land, be the same more or less.

And whereas the amount of the debt to be created is \$12,000.

And whereas the total amount required to be raised annually during the currency of said debt by a special rate on the rateable property liable thereto for paying the said debt and interest as herein provided is \$1,003.00.

And whereas the whole rateable property of the said City of Kingston according to the last revised assessment roll is the sum of \$16,627,600, and the amount of the existing debenture debt of the said city, exclusive of local improvement debts secured by special acts, rates or assessments, is the sum of \$1,792,857.99.



Be it therefore enacted by the Council of the Corporation of the City of Kingston as follows:

1. It shall be lawful for the Mayor of the said city to raise by way of loan from any person or persons, body or bodies corporate, who may be willing to lend the same on the credit of the Corporation by the issue of the debentures hereinafter mentioned, the sum of \$12,000, and to cause the same to be paid into the hands of the Treasurer for the purpose of this by-law, and therewith to purchase the said lands.

2. It shall be lawful for the said Mayor to cause any number of debentures to be made for such sums of money as may be required, not less than \$100 each and not exceeding the whole sum of \$12,000, and the said debentures shall be sealed with the seal of the said Corporation and signed by the Mayor and countersigned by the said Treasurer thereof, and shall be used to raise the sum of \$12,000 by the way of loan as aforesaid for the purpose aforesaid.

3. The said debentures shall be dated first of January, 1924, and shall be payable on the first day of January, 1944, at the office of the Treasurer of the said City of Kingston, in the said city.

4. The said debentures shall bear interest at the rate of five per cent. per annum, payable half-yearly on the first days of the months of January and July in each year at the office of the said Treasurer, in the said City of Kingston, and the said debentures shall have interest coupons attached to them, which coupons shall be signed by the said Treasurer.

5. There shall be raised annually during the currency of the said debentures the sum of \$600 for the payment of the interest thereon, and the sum of \$403 to form a sinking fund for the payment of the said debt, the said sums making together the annual amount of \$1,003 to be raised, levied and collected in each year during the period of twenty years by an annual special rate sufficient therefor.

This by-law shall come in force and take effect on its passing, subject to its being assented to by the electors.

THOS. B. ANGROVE,  
*Mayor.*

W. W. SANDS,  
*Clerk.*

## CHAPTER 102.

An Act respecting the City of  
Kitchener.

*Assented to 17th April, 1924.*

Preamble.

**W**HEREAS the municipal council of the corporation of the City of Kitchener has by petition represented that it is desirable that a certain by-law specified in Schedule "A" hereunto annexed, and the debentures to be issued thereunder, and the rates to be levied for the payment of the said debentures be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The City of Kitchener Act, 1924.*

By-law No.  
1741 con-  
firmed.

**2.** By-law No. 1741 of the City of Kitchener to authorize the issue of debentures for the sum of seventy thousand dollars (\$70,000) as passed by the council of the said City of Kitchener on the fourth day of September, A.D. 1923, and set out as Schedule "A" hereto, is hereby ratified and confirmed and declared to be legal, valid and binding upon the municipal corporation of the said City of Kitchener and the ratepayers thereof, notwithstanding any irregularity in the passing of said by-law or the proceedings in connection with the extension of the said street railway or for any other reason.

Debentures  
confirmed.

**3.** The debentures issued or to be issued under or in pursuance of the provisions of the said by-law are hereby ratified and confirmed and declared to be legal, valid and binding upon the said municipal corporation and the ratepayers thereof, notwithstanding any defect in substance or in form of the said by-law or debentures or in the manner of passing or issuing the same, and the said corporation of the City of Kitchener is hereby authorized and empowered to do all acts and things necessary for the fulfillment and proper carrying out of the said By-law No. 1741.

Commence-  
ment of Act.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE

## SCHEDULE "A".

BY-LAW No. 1741  
OF THE  
CITY OF KITCHENER.

For borrowing the sum of seventy thousand dollars for street railway purposes.

Whereas the corporation of the City of Kitchener has heretofore acquired, and is now operating a street railway system.

And whereas the operation and control of the said railway system has been placed under the Kitchener Light Commission, and it is deemed advisable to extend and improve the said street railway system by incorporating with it that part of the existing line of railway up to, and including the car barn and the land appurtenant thereto in Bridgeport now operated by the Waterloo Wellington Railway Company;

And whereas the Kitchener Light Commission has made application to the council of this municipality to raise the sum of seventy thousand dollars for acquiring and improving such system as follows:

For acquiring by purchase the above portion of the Waterloo Wellington Railway Line...	\$25,055 00
For the purchase of new rails, overhead and other equipment.....	24,945 00
For the purchase of new rolling stock.....	20,000 00
Total.....	\$70,000 00

And whereas it is deemed expedient and advisable to grant such application;

And whereas it is expedient to borrow upon the debentures of the corporation for the purpose of raising such money the sum of seventy thousand dollars, the proceeds of the said debentures to be applied to the said purpose and no other, and that is the amount of the debt intended to be created;

And whereas it is desirable to issue the said debentures at one time and to make the principal of the said debt repayable by yearly instalments during the period of twenty years, such yearly instalments being of such amounts that with the interest in respect of the debt payable annually the aggregate amount payable for principal and interest in each year shall be as nearly as possible the same;

And whereas the amount of the whole rateable property of the municipality according to the last Revised Assessment Roll is \$19,598,897.

And whereas the amount of the debenture debt of the corporation is \$2,878,409.10 no part of the principal or interest of which is in arrear;

And whereas the amount required to be raised annually during twenty years, the currency of the debentures to be issued hereunder to pay the principal thereof, together with interest at five and one-half per cent. per annum is the sum of \$5,857.56.

Be it therefore enacted by the municipal council of the corporation of the City of Kitchener;

1. For the purpose mentioned in the preamble there shall be borrowed on the credit of the corporation the sum of seventy thousand dollars, and debentures shall be issued therefore on the instalment plan in sums of not less than one hundred dollars each which said debentures may or may not have coupons attached thereto for the payment of interest at the rate of five and one-half per cent. per annum.

2. The debentures shall all bear the same date and shall be issued within two years after the date on which this by-law is passed and may bear any date within such two years, and shall be payable in twenty equal annual instalments during twenty years next after the date when they shall be issued and the respective amounts payable in each of such years shall be as set out in Schedule "A" attached to and forming part of this by-law.

3. The debentures as to both principal and interest may be expressed in Canadian currency or in sterling money of Great Britain at the rate of one pound sterling for each four dollars and eighty-six and two-thirds cents and shall be payable at the office of the treasurer of this municipality.

4. The debentures shall be signed and issued by the mayor and shall be sealed with the seal of the corporation and the said debentures and interest coupons (if any) shall be signed by the treasurer. The signature of the treasurer to the said coupons (if any) may be written, stamped, lithographed or engraved.

5. During the currency of the said debentures or any of them there shall be raised annually by special rate sufficient therefore on all the rateable property in the said city the sum of \$5,857.56 for the purposes of paying the principal and interest of the said debt at and when it becomes due.

6. The debentures may contain any provision for the registration of them authorized by law.

7. This by-law shall take effect on the day of the final passing thereof.

Passed in open council this fourth day of September, A.D. 1923.

L. O. BREITHAUPF,  
Mayor,  
C. G. LIPS,  
Clerk.

[SEAL.]

#### SCHEDULE "A".

*To By-law No. 1741 of the City of Kitchener.*

No.	Principal	Interest	Total
1.....	\$2,007 56	\$3,850 00	\$5,857 56
2.....	2,117 97	3,739 59	5,857 56
3.....	2,234 46	3,623 10	5,857 56
4.....	2,357 35	3,500 21	5,857 56
5.....	2,487 01	3,370 55	5,857 56
6.....	2,623 80	3,233 76	5,857 56
7.....	2,768 10	3,089 46	5,857 56
8.....	2,920 34	2,937 22	5,857 56
9.....	3,080 96	2,776 60	5,857 56
10.....	3,250 42	2,607 14	5,857 56
11.....	3,429 19	2,428 37	5,857 56
12.....	3,617 79	2,239 77	5,857 56
13.....	3,816 77	2,040 79	5,857 56
14.....	4,026 70	1,830 86	5,857 56
15.....	4,248 16	1,609 40	5,857 56
16.....	4,481 81	1,375 75	5,857 56
17.....	4,728 32	1,129 24	5,857 56
18.....	4,988 38	869 18	5,857 56
19.....	5,262 73	594 83	5,857 56
20.....	5,552 18	305 38	5,857 56

## CHAPTER 103.

An Act to incorporate the Town of  
La Salle.*Assented to 17th April, 1924.*

**W**HEREAS Vital Benoit, of the Township of Sandwich Preamble.  
West, in the County of Essex, merchant, and others,  
have by their petition represented that a considerable portion  
of the lands hereinafter described are suitable for the purposes  
of summer residences and permanent residences, and are  
becoming greatly in demand for such purposes; and whereas  
it has further been represented that when certain improve-  
ments are made upon the said lands, this district will be  
very rapidly built up, and that upon the extension of good  
roads, transportation facilities and local improvements,  
it will become a place of permanent residence for a very  
much larger population than it has at the present time;  
and whereas it appears that the petition has been signed  
by a majority of the whole number of ratepayers in the  
said territory; and whereas it is expedient to grant the  
prayer of the said petition;

Therefore, His Majesty, by and with the advice and  
consent of the Legislative Assembly of the Province of  
Ontario, enacts as follows:—

1. This Act may be cited as *The Town of La Salle Act*, Short title.  
1924.

2. The inhabitants of the lands described in section 3 Incorporation.  
are hereby constituted a corporation or body politic under  
the name of the corporation of the Town of La Salle, separate  
and apart from the Township of Sandwich West.

3. The said Town of La Salle shall comprise and consist Limits.  
of all that part of the Township of Sandwich West, described  
as follows:—

All and singular that certain parcel or tract of land,  
situate, lying and being in the Township of Sandwich  
West, in the County of Essex and Province of Ontario,  
and being composed of the westerly half of the **Malden**

Road, farm lots numbers twenty-six (26) to thirty-four (34) inclusive, and part of farm lots numbers thirty-five (35) to thirty-nine (39) inclusive, in the 1st concession of the said Township of Sandwich West, and more particularly described as follows:—

Commencing at the intersection of the harbour line of the Detroit River and the centre line of Turkey Creek; thence easterly upstream along the said centre line of Turkey Creek to its intersection with the centre line of Langlois Avenue; thence easterly along the centre line of Langlois Avenue to the intersection with the centre line of Malden Road; thence southerly along the centre line of Malden Road to the limit between farm lots numbers twenty-five (25) and twenty-six (26); thence westerly along the limit between farm lots twenty-five (25) and twenty-six (26) to its intersection with the harbour line of the Detroit River; thence northerly upstream along the harbour line to its intersection with the centre line of Turkey Creek and the place of beginning, containing by admeasurement, 2,310 acres more or less.

Council—  
how com-  
posed and  
term of  
office.

4.—(1) The council of the town shall consist of a mayor, reeve and five councillors. Vital Benoit shall be the first mayor; Henry Mayrand shall be the first reeve; and Rene Bezaire, Ferdinand Chappus, William J. Major, Albert Tourangeau and John J. Wells shall be the first councillors.

(2) The first mayor shall hold office for the remainder of the year 1924 and until his successor is appointed and has taken his declaration of office.

(3) The first reeve shall hold office for the remainder of the year 1924 and until his successor is appointed and has taken his declaration of office.

(4) The first councillors shall hold office for the remainder of the year 1924 and until their successors have been appointed or elected and have taken their declaration of office.

(5) In case a vacancy occurs from any cause, prior to the 31st day of December, 1924, in the office of mayor, reeve or councillor, the council shall forthwith appoint a person to fill the vacancy, and he shall hold office for the remainder of the term for which his predecessor was appointed.

Repre-  
sentation  
in County  
Council.

5. Until the 31st day of December, 1924, the Town shall be represented in the council of the county by the mayor only.

**6.** The council of the said town may pass a by-law for taking the assessment of the said town for the year 1925, between the 1st day of July and the 1st day of October, 1924, and if any such by-law shall extend the time for making and completing the assessment rolls beyond the 1st day of November, 1924, then the time for closing the Court of Revision shall be three weeks from the day to which such time is extended, and the final return by the Judge, four weeks from that day.

Time for  
taking  
assessment.

**7.** The land comprised in the said town is hereby detached from the Township of Sandwich West, and the town shall form a separate and independent municipality.

Separation  
from town-  
ship of  
Sandwich  
West.

**8.—(1)** Save as in this Act otherwise expressly provided, all the provisions of *The Consolidated Municipal Act, 1922*, and of any other general Act applicable to towns, shall apply to the said town to the same extent as if the said town had been incorporated under the provisions of *The Consolidated Municipal Act, 1922*.

Application  
of pro-  
vision of  
1922, c. 72.

**(2)** The provisions of *The Consolidated Municipal Act, 1922*, as to adjustments of assets and liabilities, and as to matters consequent on the formation of new corporations, shall apply as if the said land had been erected into a village under the provisions of that Act instead of a town.

Adjustment  
of assets and  
liabilities.

**9.** The Ontario Railway and Municipal Board may divide the town into wards in accordance with *The Consolidated Municipal Act, 1922*, after the election of the council for the year 1925 has been held.

Division into  
wards.

**10.** The expenses incurred in obtaining this Act and of furnishing any documents, copies of papers, writings, deeds and any matters whatsoever required by the clerk or other officer of the said town or otherwise, shall be borne by the said town and paid by it, to any person who may be entitled thereto.

Expenses of  
obtaining  
Act.

**11.** The land comprised in the said town shall remain a part of the existing school section for all purposes as though the Act had not been passed, until a by-law, approved by the Minister of Education, has been passed by the council of the said town for the establishment of an urban school board.

Town to  
remain part  
of existing  
school  
section.

**12.** Notwithstanding anything in this Act contained, the Township of Sandwich West shall continue to have full power and authority to levy, collect and retain, and use for its own purposes, all taxes properly levied or assessed,

Taxes for  
1923.

and in process of being levied or assessed against any of the lands herein described, down to and including taxes for the year 1923, as fully and effectually as if this Act had not been passed.

Apportion-  
ment of  
taxes and  
collection  
of arrears.

**13.** The taxes for the year 1924 on the rateable property of the said Town of La Salle shall be assessed, levied, and collected by the Township of Sandwich West and a rateable proportion thereof for the year 1924 shall upon collection be paid over to the Treasurer of the said Town of La Salle for its uses, subject to a reasonable deduction for collection. The amount to be allowed therefor to be agreed upon, and in default of agreement to be determined by the Ontario Railway and Municipal Board, upon the application of either municipality. All arrears of taxes upon the said property on the 1st day of January, 1925, shall be under the jurisdiction of and the collection enforced by the said Town of La Salle, but a proper accounting of the amount as and when collected shall be made to the said Township of Sandwich West.

Commence-  
ment of Act.

**14.** This Act shall come into force on the day upon which it receives the Royal Assent.



## CHAPTER 104.

## An Act respecting the City of London.

*Assented to 17th April, 1924.*

**W**HEREAS the corporation of the City of London has, Preamble.  
by its petition, prayed for special legislation in respect  
of the matters hereinafter set forth; and whereas, it is  
expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and  
consent of the Legislative Assembly of the Province of  
Ontario, enacts as follows:—

1. This Act may be cited as *The City of London Act, 1924.* Short title.

2. The corporation of the City of London may pass a Authority to amend By-laws Nos. 6486 and 7080, City of London.  
by-law or by-laws to amend By-law No. 6486 passed on  
the 19th day of September, A.D. 1921, to authorize the  
construction of sanitary sewers on The Crossway, Madison  
Avenue to East Street, Madison Avenue, Hamilton Road to  
The Crossway; Pine Lawn Avenue, Hamilton Road to The  
Crossway; East Street, Hamilton Road to The Crossway;  
Hyla Street, Major Street to Hamilton Road and on Hamilton  
Road from Hyla Street to Highbury Avenue as a local im-  
provement under *The Local Improvement Act*, and By-law  
No. 7080, passed on the 7th day of May, A.D. 1923, to  
provide for borrowing \$85,528.26 upon debentures to pay  
for the construction of a tile sewer with private drain con-  
nections on The Crossway from Madison Avenue to East  
Street, Madison Avenue from Hamilton Road to The Cross-  
way; Pine Lawn Avenue from Hamilton Road to The Cross-  
way; East Street from Hamilton Road to The Crossway;  
Hall Street from Hamilton Road to end of Street, Hyla  
Street from Major Street to Hamilton Road, Hamilton  
Road from Hyla Street to Highbury Avenue as a local im-  
provement, by extending the time for the payment by the  
property owners for the work authorized by the said By-law  
No. 6486 to twenty years, and by extending the term  
of the debentures to be issued under the said By-law No.  
7080, in respect of the work authorized by the said By-law  
No. 6486, from ten to twenty years, and by making such  
other amendments as may be necessary or expedient to  
carry out the objects aforesaid.

Amended  
by-laws  
declared  
valid.

3. By-laws No. 6486 and 7080 mentioned in the next preceding section hereof, when amended as provided for by the next preceding section hereof, shall be legal, valid and binding upon the corporation of the City of London, and upon the property liable for the rates imposed by, or under the authority of, the said by-laws, and the validity of the said by-laws when amended as aforesaid, and of every such debenture, shall not thereafter be open to question in any court.

Authority  
to borrow  
\$200,000  
for storm  
sewers.

4. The corporation of the City of London may pass a by-law to borrow, and may borrow the sum of \$200,000, and may issue debentures therefor for any period not exceeding thirty years from the date of the issue thereof, and at such rate of interest not exceeding six per cent. per annum as the council of the said corporation may determine, to pay for the construction of storm sewers in the City of London.

Authority  
of Western  
Fair Associa-  
tion to  
borrow  
\$20,000 on  
debentures.

5. The directors of the Western Fair Association may issue debentures to an amount not exceeding \$20,000, and may apply the proceeds of the sale thereof in payment of the balance of the cost of the erection, upon part of the Western Fair grounds in the said City of London, owned by the corporation of the City of London, of the Manufacturers building for the said Fair.

Term and  
interest  
rate of  
debentures.

6. The debentures mentioned in the next preceding section hereof may be issued for such term of years, not exceeding fifteen years, and may bear such rate of interest, not exceeding six per cent. per annum, as the directors of the said Western Fair Association may deem expedient.

Guarantee  
of debentures  
by  
city.

7. The corporation of the City of London may without obtaining the assent of the electors, guarantee the debentures mentioned in the next two preceding sections hereof (and the interest thereon) to such an amount, not exceeding the said sum of \$20,000, as the council of the said corporation may deem expedient.

Authority  
to borrow  
\$25,000  
for store  
and garage.

8. The corporation of the City of London may pass a by-law to borrow, and may borrow the sum of \$25,000, and may issue debentures therefor for any period not exceeding thirty years from the date of the issue thereof, and at such rate of interest not exceeding six per cent. per annum as the council of the said corporation may determine to pay for the erection of a store-house, blacksmith shop and garage building for the City of London.

**9.** It shall not be necessary that any of the by-laws for the purposes mentioned in sections numbers 4 and 8 of this Act shall be submitted to or receive the assent of the electors of the said city, but all the other provisions of *The Consolidated Municipal Act, 1922*, which are applicable and which are not inconsistent with the provisions of this Act shall apply to the said by-laws. Assent of electors not required.

**10.** No irregularity in the form of any of the debentures issued under the authority of this Act, or of any by-law authorizing the issue thereof, shall render the same invalid, or be allowed as a defence to any action against the corporation of the City of London for the recovery of the amount thereof, or interest thereon, or any part thereof. Irregularity in form not to invalidate.

**11.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 105.

## An Act respecting the Town of Mount Forest.

*Assented to 17th April, 1924.*

## Preamble.

**W**HEREAS the corporation of the town of Mount Forest has, by its petition, represented that The Superior Knitting Mills, Limited (hereinafter called the company), a company which has been and now is established and carrying on, within the said town, the business of manufacturing overalls and knitted goods, did apply, early in the year 1923, to the said corporation for a loan of \$14,000 to aid in the purchase, renovation and repair of the property situate in the said town, known as "The Weir Wardrobe Factory," to be used by the said company in carrying on their said manufacturing business, upon the terms set out in an agreement duly entered into between the said corporation and the said company, a copy of which said agreement is set out in schedule "A"; and whereas the council of the said corporation deemed it expedient and in the best interests of the said corporation that such a loan should be granted, and for this purpose did submit to the electors of the corporation, for their assent, a by-law intituled By-law No. 754, To aid the Superior Knitting Mills, Limited, of the town of Mount Forest by way of loan to the extent of fourteen thousand dollars for the purchase, renovation and repair of the Weir Wardrobe Factory, to limit the assessment of the said factory, to grant them free water; to issue debentures for the said loan and to authorize the raising of an annual sum for the payment of the said debentures and the interest thereon," a copy of which said by-law is set out in schedule "B" hereto; and whereas of the electors who voted on the by-law more than two-thirds voted in favour thereof; and whereas the said by-law was subsequently finally passed by the affirmative vote of three-fourths of all the members of the council of the said corporation; and whereas in the said agreement and by-law it was inadvertently provided that the property of the said company should be subject to a fixed assessment for school purposes, which provision was beyond the powers of the said corporation to enact; and whereas on the twenty-fifth day of September, 1923, a further agreement was entered into by the said company with the said corporation, amending the said agreement and eliminating therefrom the clause providing for said

fixed

fixed assessment, a copy of which said amending agreement is set out in schedule "C" hereto; and whereas in pursuance of the powers conferred upon them by *The Consolidated Municipal Act, 1922*, the said By-law No. 754 was amended to conform with the said amended agreement and with the provisions of *The Consolidated Municipal Act, 1922*, in respect to fixed assessment, which amending by-law was finally passed on the first day of October, 1923, and numbered No. 757, a copy of which said amending by-law is set out in schedule "D"; and whereas the mortgage referred to in the said agreement has been duly executed and delivered to the said corporation and has been registered; and whereas the corporation has issued debentures as provided for by the said by-law; and whereas application was made to the Ontario Railway and Municipal Board for a certificate of the said board declaring valid and binding the said two By-laws Nos. 754 and 757, and that the said debentures issued under authority of said by-laws be approved, and the said board duly issued their certificate to that effect; and whereas doubt has arisen as to the validity of the said by-laws and of the said debentures; and whereas the corporation has, by its petition, prayed that an Act may be passed to validate and confirm the said two by-laws and the debentures thereunder and to validate and confirm the said two agreements; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Town of Mount Forest Act*, Short title.  
1924.

2. By-laws Nos. 754 and 757 of the municipal corporation of the town of Mount Forest and the agreements dated respectively May the tenth, 1923, and September the twenty-fifth, 1923, all of which are set forth in full in schedules "A", "B", "C" and "D" hereto, are hereby ratified and confirmed and declared to be legal, valid and binding upon the said municipal corporation and the ratepayers thereof, and upon the parties to the said agreements, and all debentures heretofore issued thereunder and all assessments made or to be made and all rates levied or to be levied for the payment thereof, are validated and confirmed, and the said corporation is declared to have had power to pass, issue and levy the same.

By-laws 754  
and 757 and  
agreements  
confirmed.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.

## SCHEDULE "A".

## AGREEMENT.

This agreement made, in triplicate, the tenth day of May, A.D. 1923.  
BETWEEN:

THE CORPORATION OF THE TOWN OF MOUNT FOREST, hereinafter  
called the "Corporation"

of the first part,

--and--

THE SUPERIOR KNITTING MILLS, LIMITED, hereinafter called  
the "Company,"

of the second part.

Whereas the said company is now carrying on business in the premises know as "Part of the Carriage Factory" in the town of Mount Forest, and have secured an option for the purchase of the land and building known as "The Weir Wardrobe Factory" in the said town;

And whereas the company proposes to transfer its manufacturing operations to the said Weir Wardrobe Factory on or before the fifteenth day of September, 1923.

And whereas the Company has applied to the Corporation for a loan of fourteen thousand dollars to aid it in the purchase, renovation and repair of the said factory.

And whereas the Council of the said Corporation has agreed to submit a By-law to be voted on by the qualified ratepayers thereof, on or before the 8th day of June, 1923, by which, if carried, they will grant or give by way of loan to the said Company the proceeds of an issue of debentures amounting to fourteen thousand dollars, to be secured and repaid as hereinafter set out, and to grant to said Company free water and a fixed assessment of ten thousand dollars for ten years on the whole building, land and machinery and to collect taxes for school purposes only.

Now therefore this agreement witnesseth that in consideration of the premises and of the mutual covenants and agreements hereinafter contained, the said Corporation agrees to prepare and submit to the vote of the qualified ratepayers of the town on the 8th day of June, 1923, if possible a By-law in proper terms to comply with *The Consolidated Municipal Act, 1922*, and all other Acts relating thereto, for the purpose of authorizing the loan by the said Corporation to the said Company of the sum of fourteen thousand dollars, or the proceeds of the sale of fourteen debentures for the sum of \$1,459.91 each, and payable in fourteen equal annual instalments of principal and interest. The first of such debentures to be payable in one year from the date of issue thereof.

And that they will by the said By-law provide, in addition to the said loan, to limit the assessment of the whole of the said Company's factory premises, machinery, plant, stock in trade, etc., in the said town, to the sum of ten thousand dollars, including business assessment, so that the Company, for a period of ten years, shall pay school taxes on an assessment including business assessment, of not more than ten thousand dollars, and shall be totally exempt from all taxes except for school purposes, and further that the said Company shall have water from the Town Water Works System for the use of the said manufacturing business free of charge, but without any guarantee as to sufficiency of supply or otherwise.

In the event of any part of the said building being let to or used by any tenant or tenants of the said Company, such tenant or tenants shall be liable to a business assessment on the part of the said building so used, in addition to the above mentioned fixed assessment of ten thousand dollars, unless the matter is otherwise arranged between the said tenant or tenants and the said Corporation.

The

The said Company agrees to and with the Corporation that it will, with the proceeds of the said debentures, purchase from The Canada Furniture Manufacturers, Limited, their lands, buildings and equipment as the same now stands on the property known and described as Lots numbers nine, ten, eleven, twelve, thirteen, fourteen, fifteen and sixteen fronting on Dublin Street and Lots numbers one, two, three, four and five fronting on Waterloo Street, as shown on the plan or subdivision of Park Lots six and seven on the south side of Queen Street in the Town of Mount Forest, containing three acres more or less, and make all necessary alterations, renovations and repairs which will be necessary to place the building in a number one order of repair. That it will remove its present plant thereto and commence manufacturing operations therein, as soon as possible after the building is so repaired and not later than September 15th, 1923.

The deed of the said property is to be taken in the name of the Company and the Company is to execute, register and deliver a good and sufficient mortgage covering the land, buildings and machinery purchased from The Canada Furniture Manufacturers, Limited, in favour of the Corporation, which said mortgage is to be a first lien or charge on the whole property and is to be in such form as may be approved by the Corporation. The said mortgage is to be repayable as follows: The sum of one thousand dollars on the 2nd day of July in each of the years 1924 to 1930 inclusive, without interest and the sum of \$1,459.91 on the 2nd day of July in each of the years 1931 to 1937 inclusive. The said first mentioned seven payments of one thousand dollars each, to represent the amount due by the said Company on each of the first seven debentures on which, provided the covenants and agreements herein contained are duly carried out, the Corporation is to pay the balance due thereon. The said mortgage is to contain the usual statutory covenants and a power of sale on default of one month, and on one month's notice. The Company is to keep the said building insured to the amount of not less than twenty thousand dollars, with loss, if any, payable to the Corporation as its interest may appear.

The Company agrees to pay school taxes on said buildings and plant on a fixed assessment of ten thousand dollars for a period of ten years, and, in the event of any part of the said building being let or rented or occupied by any other person or Company, the Corporation is to be entitled to assess and collect taxes on a business assessment on such part or parts of the said building as may be so let or occupied.

The Company agrees to accept the proceeds of the sale of the said fourteen debentures or the said debentures as a compliance with this agreement.

The said Company agrees to pay to the Corporation the total cost of the preparation of this agreement, the preparation and submission to the ratepayers of the necessary By-law, and, in the event of the said By-law being carried, the promulgation and registration thereof and the preparation and issuing of the said debentures.

Provided that, in the event of the said Company becoming bankrupt or insolvent or closing down permanently, which shall be held to mean a continuous closing of twelve months or more, the Corporation shall be entitled to collect the interest on any or all of the said debentures, including the first seven debentures still remaining unpaid, as and from the date of such closing, and that all provisions and concessions regarding a fixed assessment and tax exemption shall cease as and from the date of closing.

Provided also that in case of fire upon the said premises or that for any other reason beyond the control or power of the Company a stoppage of work is caused, the time so lost shall not operate against the said Company, if they take immediate steps to rebuild or repair the same without unreasonable delay and get the factory running again to full capacity. And it is agreed that in case of fire, the insurance money may be used and applied in rebuilding or repairing as far as necessary.

Provided also that, in the event of the full sum of fourteen thousand dollars, or the proceeds of the sale of the said debentures not being required

for the purchase, renovation and repairing of the said building, any balance so remaining over shall be repaid to the said Corporation by the said Company.

The Company further agrees that it will, during the continuance of the said loan, continue to operate the said Overall and Knitting factory in the said building or such part thereof as may be required by it.

Provided that the Corporation is to pay to the said Company the sum of \$10,000.00 on the closing of the said purchase and the remaining sum of \$4,000.00 as the work of renovation and repair proceeds on a basis 75% of the cost of the work done, and the remaining 25% as soon as the work is completed.

Should the said Company sell all or any of the machinery purchased from The Canada Furniture Manufacturers, Limited, with the said building the proceeds of such sale shall be paid to the Corporation in reduction of the said mortgage.

Provided also that the waiver, suspense or non-enforcement by either of the parties hereto of any of the covenants, provisos and conditions of this agreement, either wholly or in part, shall not annul or make void this agreement or any part thereof, any law, usage or custom to the contrary notwithstanding.

In witness whereof the said Corporation has caused this agreement to be signed by the Mayor and Clerk and has affixed the Corporate Seal thereto, and the said Company has affixed its Corporate Seal thereto attested by the hands of its proper officers.

SIGNED, SEALED AND DELIVERED,  
in presence of:

[SEAL]. IVAN CHALMERS.

THE CORPORATION OF THE TOWN  
OF MOUNT FOREST, per

G. P. ALLEN, *Mayor*.  
J. B. MOON, *Clerk*.

THE SUPERIOR KNITTING MILLS, LTD.,

[SEAL].

M. STEINBERG, *President*.  
H. R. HAWTHORNE, *Secretary-Treas.*



## SCHEDULE "B".

## TOWN OF MOUNT FOREST.

## BY-LAW No. 754.

To aid The Superior Knitting Mills, Limited, of the Town of Mount Forest by way of loan to the extent of fourteen thousand dollars for the purchase, renovation and repair of The Weir Wardrobe Factory, to limit the assessment on the said factory, to grant them free water; to issue debentures for the said loan and to authorize the raising of an annual sum for the payment of the said debentures and the interest thereon.

Whereas by *The Consolidated Municipal Act, 1922*, of the Province of Ontario, any town in the said Province may grant aid by way of loan of money, limitation of assessment and free water for the encouragement and promotion of manufacturers within its limits and may pay such sum or sums of money either in one sum or otherwise, with or without interest and subject to such terms, conditions and restrictions as the said town may deem expedient, and may take and receive security for the due compliance with the terms and conditions upon which aid is given.

And whereas the Town of Mount Forest is desirous of aiding The Superior Knitting Mills, Limited, in the purchase, renovating and repair by them of the factory, formerly known as "The Weir Wardrobe Factory," by granting to the said Superior Knitting Mills, Limited, a loan to the extent of fourteen thousand dollars and issuing debentures therefore—said loan to be repaid by seven yearly payments of \$1,000.00 each without interest and seven yearly payments of \$1,459.91 each, including principal and interest.

And also to grant to the said Company a limited or fixed assessment for municipal and school purposes upon the whole of the said Company's factory premises, and machinery, plant, stock in trade and business assessment in the sum of \$10,000.00 for a period of ten years from the 1st day of May, A.D. 1923.

And also free water from the Town Water Works System for the said period of fourteen years but without any guarantee of sufficiency of supply or otherwise.

And whereas, in order thereto, it will be necessary to issue debentures of the said municipality for the sum of fourteen thousand dollars as hereinafter provided (which is the amount of the debt intended to be created by this By-law) the proceeds of the said debentures to be applied to the purposes aforesaid and to no other.

And whereas it is desirable to issue the said debentures at one time and make the principal of the said debt repayable by yearly sums during a period of fourteen years being the currency of the said debentures, said yearly sums being of such respective amounts that the aggregate amount payable in each year for principal and interest in respect to said debt shall be as nearly as possible equal to the amount so payable in each of the other thirteen years of the said period.

And whereas the total amount required to be raised annually by special rate for paying the said debt and interest as hereinafter provided is \$1,459.91.

And whereas the amount of the whole rateable property of the said Town of Mount Forest according to the last Revised Assessment Roll being for the year 1922 is \$8,030.44.

And whereas the amount of existing debenture debt<sup>r</sup> of the said municipality is \$78,618.74, made up as follows:—

Consolidated Debentures.....	\$18,428.42
School Debentures.....	2,600.00
Water Works Debentures.....	12,466.67
Electric Light and Hydro.....	23,821.87
Local Improvement Debenture.....	3,098.19
Bridge Debentures.....	336.66
Loan to Factories.....	17,986.93

and none of the principal or interest is in arrear.

And whereas there is upwards to \$7,000 of Sinking Fund invested at interest towards paying the above debentures;

Therefore the Municipal Council of the Corporation of the Town of Mount Forest enacts as follows:—

1. That it shall be lawful for the Mayor of the said town, and he is hereby authorized and required to cause debentures to be made and issued to the extent of fourteen thousand dollars in sums of not less than five hundred dollars each, which debentures shall be sealed with the seal of the said Corporation and shall be signed by the Mayor and Treasurer thereof.

2. That the said debentures shall be issued on the 2nd day of July, 1923, each of which debentures shall be dated on the date of the issue thereof, and shall be payable within fourteen years thereafter.

3. The said debentures to bear interest at the rate of five and one-half per cent. per annum from the date thereof, and the principal sum and interest thereon shall be payable together in fourteen years at the furthest from the 2nd day of July, 1923, by equal annual instalments, one debenture or coupon covering principal and interest to be payable on the 2nd day of July in each year at the office of the Town Treasurer in the Town of Mount Forest, commencing on the 2nd day of July, 1924.

4. That, for the purpose of paying the principal of the said debentures and the interest thereon as the same shall become due by the said equal annual instalments of principal with the interest, the sum of \$1,459.91 shall be raised annually by the said Corporation as follows:—

In the year 1924, \$1,459.91;	in the year 1931, \$1,459.91
" " " 1925, 1,459.91;	" " " 1932, 1,459.91
" " " 1926, 1,459.91;	" " " 1933, 1,459.91
" " " 1927, 1,459.91;	" " " 1934, 1,459.91
" " " 1928, 1,459.91;	" " " 1935, 1,459.91
" " " 1929, 1,459.91;	" " " 1936, 1,459.91
" " " 1930, 1,459.91;	" " " 1937, 1,459.91

5. That said annual sum of \$1,459.91 shall be raised and levied in each year by a special rate sufficient therefor on all the rateable property in the said Corporation during the continuance of the said debentures or any of them.

6. That it shall also be lawful for the Mayor and Council of the said Corporation, and they are hereby required to limit the assessment for municipal taxes of all the real and personal property of the said Company, including business assessment, to the sum of \$10,000.00 for a term of ten years, the sum levied and collected annually for school taxes only, on the said assessment of \$10,000.00 is intended to be all the taxes that the said Company shall be required to pay for school and municipal purposes during the said period of ten years on their factory premises, including land, buildings and machinery, known and described as Lots numbers one, two, three, four and five, north of and fronting on Waterloo Street, and Lots numbers nine, ten, eleven and twelve, west of and fronting on Dublin Street and Lots numbers thirteen, fourteen, fifteen and sixteen, east of and fronting on Homewood Avenue as shown on the plan of subdivision

of Park Lots six and the east half of seven on the south side of Queen Street in the said Town of Mount Forest, containing by admeasurement three acres more or less, during the said period of ten years from the 1st day of May 1923, provided, however, that no limitation or exemption shall be granted to property used as a dwelling.

And also to grant the said Company, at the said factory, for its own use only, free water from the Town Water Works System for fourteen years without guarantee of supply being sufficient or otherwise.

7. That this By-law shall come into force and take effect on the 2nd day of July, 1923.

It is hereby declared that the said sum of fourteen thousand dollars is loaned and the said limitation of assessment or partial exemption from taxation and free water and other benefits are given to the said Company upon the following terms, that is to say:—

(a) The said sum of fourteen thousand dollars is to be used by the said Company, firstly: for the purchase of the said factory including land, buildings and the machinery therein, and secondly: for the purpose of renovating and repairing the said building so as to make it fit for use as a factory.

(b) The said Company is to give to the Corporation a first mortgage upon the above mentioned land, buildings and machinery as purchased from The Canada Furniture Manufacturers, Limited, on which there is to be payable by the Company the sum of one thousand dollars a year for the first seven years of the said debenture period and the sum of \$1,459.91 per year during the last seven years thereof.

(c) That the Company shall comply with all the terms and conditions of a certain agreement made between the said Company and the Corporation, and dated the 10th day of May, 1923, which said agreement shall be read and treated as a part of this By-law.

Dated at the Town of Mount Forest, this 27th day of June, 1923.

G. P. ALLEN,  
*Mayor.*

[SEAL].

J. B. MOON,  
*Clerk.*

## SCHEDULE "C".

## AGREEMENT.

This agreement made, in triplicate, the 25th day of September, 1923.

## BETWEEN:

THE CORPORATION OF THE TOWN OF MOUNT FOREST,  
hereinafter called the "Corporation,"

of the first part,

and

THE SUPERIOR KNITTING MILLS, LIMITED,  
hereinafter called the "Company,"

of the second part.

Whereas, the agreement entered into between the parties hereto on the 10th day of May, 1923, provides for a fixed assessment for school purposes of the property of the Company, which provision is beyond the powers of the Corporation to grant, and the parties hereto have agreed to amend the said agreement by eliminating therefrom such clauses as provide for said fixed assessment.

Now this agreement witnesseth that the parties hereto, in consideration of the premises, mutually agree as follows:—

1. That the fourth paragraph on the first page thereof be amended by striking out the following words, "a fixed assessment of ten thousand dollars for ten years on the whole building, land and machinery and to collect taxes for school purposes only," and by inserting in lieu thereof the words, "to exempt the said Company from all taxation, except school taxes for a period of ten years on the whole of its land, building, and machinery."

2. That lines nine to sixteen inclusive on page two of the said agreement be struck out and the following be inserted in lieu thereof "and that they will by the said By-law provide in addition to the said loan to exempt the whole of the said Company's factory premises, machinery, plant and stock-in-trade in the said town from all taxation except for school purposes for a period of ten years and"

3. That the words, "in addition to the above mentioned fixed assessment of ten thousand dollars" in the twenty-fourth and twenty-fifth lines of the second page of the said agreement be struck out.

4. That the words, "on a fixed assessment of ten thousand dollars for a period of ten years" in the twenty-seventh and twenty-eighth lines of page three of this agreement be struck out.

5. That the words, "a fixed assessment and" in lines thirteen and fourteen on the fourth page of the said agreement be struck out.

In witness whereof the Corporation has caused this agreement to be signed by the Mayor and Clerk and has affixed the Corporate Seal thereto, and the said Company has affixed its Corporate Seal thereto attested by the hands of its proper officers.

SIGNED, SEALED AND DELIVERED  
in the presence of:

TOWN OF MOUNT FOREST,  
Per G. P. ALLEN, *Mayor*.  
J. B. MOON, *Clerk*.

THE SUPERIOR KNITTING MILLS, LIMITED,  
M. STEINBERG, *President*,  
H. R. HAWTHORNE, *Secretary-Treas.*

[SEAL].

## SCHEDULE "D".

## TOWN OF MOUNT FOREST.

## BY-LAW NO. 757 TO AMEND BY-LAW NO. 754.

Whereas it has appeared that certain provisions of By-law No. 754 of the Town of Mount Forest are beyond the power of the Corporation to enact.

Be it therefore enacted by the Corporation of the Town of Mount Forest as follows:—

1. That the said By-law be and the same is hereby amended by striking out the second recital and inserting in lieu thereof the words, "and whereas the Town of Mount Forest is desirous of aiding The Superior Knitting Mills, Limited, in the purchase, renovating and repair by them of the factory, formerly known as "The Weir Wardrobe Factory," by granting to the said Superior Knitting Mills, Limited, a loan to the extent of fourteen thousand dollars, and issuing debentures therefor—said loan to be repaid by seven yearly payments of \$1,000.00 each, without interest and seven yearly payments of \$1,459.91 each, including principal and interest.

And also to grant to the said Company exemption from all municipal taxation, except for school purposes, upon the whole of the said Company's factory premises, machinery, plant, stock-in-trade and business assessment for a period of ten years from the 1st day of May, 1923.

And also free water from the Town Water Works System for the said period of fourteen years but without any guarantee of sufficiency of supply or otherwise.

2. That the said By-law be further amended by striking out paragraph six thereof and substituting therefore the words, "that it shall be lawful for the Mayor and Council of the said Corporation and they are hereby required to exempt from all taxation, except school taxes, for a period of ten years from the 1st day of May, 1923, the factory property of the said Company, including land, buildings, and machinery known and described as Lots numbers one, two, three, four and five, north of and fronting on Waterloo Street and Lots numbers nine, ten, eleven and twelve, west of and fronting on Dublin Street and Lots numbers thirteen, fourteen, fifteen and sixteen, east of and fronting on Homewood Avenue and shown on the plan of subdivision of Park Lots six and the east half of seven on the south side of Queen Street in the said Town of Mount Forest, containing by admeasurement three acres more or less, during the said period of ten years from the 1st day of May, 1923, provided, however, that no limitation or exemption shall be granted to property used as a dwelling.

And also to grant the said Company at the said factory, for its own use only, free water from the Town Water Works System for fourteen years without guarantee of supply being sufficient or otherwise.

Introduced on motion of Councillor Cook and read a first and second time in open Council.

Read a third time and finally passed this 1st day of October, 1923.

G. P. ALLEN,  
*Mayor.*

[SEAL].

J. B. MOON,  
*Clerk.*

## CHAPTER 106.

## An Act respecting the Municipality of Neebing.

*Assented to 17th April, 1924.*

Preamble.

**W**HEREAS the corporation of the municipality of Neebing has by petition represented that it is desirable and in the interests of the ratepayers of the said corporation and the public generally that all assessment rolls, tax sales and deeds made, held and given prior to the 31st day of December, 1923, of lands within the municipality of Neebing should be confirmed, and has prayed that an Act may be passed for such purpose; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Municipality of Neebing Act, 1924.*

Tax sales  
and deeds  
prior to 31st  
Dec., 1923  
confirmed.

**2.** All sales of lands within the limits of the municipality of Neebing made prior to the 31st day of December, 1923, and which purport to be made by the said corporation or the treasurer thereof for arrears of taxes in respect of the land so sold, are hereby validated and confirmed, and all deeds of the land so sold executed by the proper officers of the corporation purporting to convey the said lands so sold to the purchaser thereof, or his assigns, are hereby validated and confirmed, and shall be deemed to have had the effect of vesting the lands so sold and conveyed, or purported to have been so sold and conveyed, and the same are hereby vested in the purchaser or his assigns and his and their heirs and assigns, in fee simple, free from and clear of and from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and incumbrances thereon and dower therein, except taxes accrued since those for non-payment whereof the said lands were sold.

3. This section shall apply to cases where the corporation or anyone in trust for it, or on its behalf, became the purchaser or grantee of any such lands. <sup>Case of purchase by corporation.</sup>

4. Nothing in this section contained shall affect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed. <sup>Pending litigation not affected.</sup>

## CHAPTER 107.

## An Act respecting the Town of New Toronto.

*Assented to 17th April, 1924.*

Preamble.

Rev. Stat.  
c. 218.

**W**HEREAS, the corporation of the town of New Toronto has by petition represented that it is desirable in the interests of public health in the said municipality to have toilet and sink accommodation installed in all residences and places of business in the said town; and whereas, the council of the said municipality has found that many owners of said residences and business places are unable financially to meet the cost of installation of toilet and sink accommodation; and whereas, the said municipality desires to have the power not only now given to the municipality under *The Public Health Act* as to enforcing the installation of said sanitary accommodation, but also to enter into agreements with owners, to enable them to have constructed said sanitary accommodation in residences and places of business, and to advance the necessary moneys to such owners for the purpose of said installation and construction, and to have the said cost charged against the said lands and collected in the same manner as taxes; and whereas, the said corporation desires to have the power to borrow money by the issue and sale of debentures on the credit of the corporation at large, to provide funds for the purpose of meeting the cost of said installations and construction, and power to charge the cost of the same whether constructed under agreement or under *The Public Health Act*, against the lands benefited by such installations, and in the same manner as provided for in *The Public Health Act*, the said cost to be collected in five equal annual instalments, the cost to include the cost of material used in such construction, the cost of the installation, the interest on all moneys not paid in advance for such installation and construction, and a sum to represent the cost of obtaining funds for the said work by the sale of debentures of the said corporation; and whereas, it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:



1. This Act may be cited as *The Town of New Toronto* Short Title.  
*Act, 1924.*

2. The council of the corporation of the town of New <sup>Power</sup>  
 Toronto may pass a by-law in the form of the by-law in <sup>to pass</sup>  
 Schedule "A" of this Act, and such by-law as and when <sup>by-law.</sup>  
 passed, is declared to be legal, valid and binding.

3. The said council may pass by-laws for the issue of <sup>Issue of</sup>  
 debentures payable in not more than five years from the date <sup>debentures.</sup>  
 of issue, to pay for works or improvements to be made or  
 done under the said by-law when duly passed, and it shall not  
 be necessary to submit any such by-law to a vote of the  
 electors.

## SCHEDULE "A."

### THE CORPORATION OF THE TOWN OF NEW TORONTO.

#### By-Law No. —.

A By-Law respecting the installation of sanitary conveniences, including  
 drains connecting same with sewers.

Whereas, it is desirable to provide for the installation of toilet and  
 sink accommodation in the buildings of private owners in the Town of  
 New Toronto, and to provide for the payment of the cost of the same.

Be it therefore enacted by the Municipal Council of the Corporation  
 of the Town of New Toronto as follows:

(1) Any owner desiring to install in his premises situate in the Town of  
 New Toronto, a toilet or sink with the necessary drain or drains to connect  
 such toilet and sink with the Town's sewers, may file a written application  
 therefor on a blank form to be prescribed by the Council of New Toronto,  
 which application shall describe the work desired to be done, the premises  
 in or on which it is to be done, the plumbing fixtures desired to be installed,  
 and the drains to be excavated and laid, and the owner shall also sign a  
 form of agreement to be prescribed by the said Council;

(2) The owner in his said application shall state whether he desires to  
 pay the cost of the said installation in advance, or to have the work done  
 by the Municipality and to be paid for by special assessment charged  
 against the owner's lands, and payable with interest in equal instalments  
 spread over five years;

(3) If the owner decides to pay for said installation in advance, he  
 shall deposit the cost as estimated by the Town Engineer, with the  
 Town Treasurer, and if upon completion of the work it shall be found  
 that the deposit made for the purpose is less than the actual cost, the  
 owner shall forthwith pay the balance of said cost, and such balance shall  
 remain a charge on the said lands until paid, and if the deposit paid is  
 more than sufficient to meet the cost of said installation, the unused  
 portion of said deposit shall be refunded by the Treasurer to the owner.

(4) The application for said installation when received by the Clerk of  
 the Corporation shall be referred to the Engineer for approval after  
 inspecting the premises, and shall be confirmed by the Council, after  
 which confirmation a permit will be granted by the Engineer for the  
 necessary installation and work, which will be proceeded with by the  
 Municipality as soon as conveniently may be thereafter.

(5) Where the Local Board of Health for the Town of New Toronto  
 reports to the Council of said Town that the owner of any building is

unable

unable to pay the expense of the installation therein of a toilet and sink with necessary drainage connection with the Town sewers, and recommends that it is desirable that such installation and drainage should be provided, and that the same be installed and constructed by the Municipality of New Toronto under the provisions of *The Public Health Act*, a report shall be presented by the Local Board of Health to the Council of said Town, setting forth,

- (a) The description of the property.
- (b) The name of the owner or owners.
- (c) A description of the sanitary conveniences and drains required and suitable for the building in question.
- (d) The approximate cost thereof.

(6) The Council of the said Town upon such report being adopted by it, may prepare or cause to be prepared by the Town Engineer, specifications for the work required.

(7) The Council of the said Town in order to instal the toilet and sink and construct the drains under the provisions of this By-law, may after the application referred to in Paragraph One has been confirmed by the Council, or after specifications referred to in Paragraph Six of this By-law have been prepared, publish an advertisement in such manner as it may deem necessary, calling for tenders for the performance of said work and the supply of said material, and may accept any tender received, and the contract may thereupon be awarded in accordance therewith. The Town Engineer may tender on all such works in reply to said advertisement, and if his tender be accepted, the work shall be performed by him on behalf of the Corporation, in accordance with this By-law;

(8) After the completion of every installation authorized under this By-law, the Town Engineer shall prepare and forward to the Council a statement of the cost thereof, which if approved, shall be forwarded to the Town Clerk to settle with the owner the cost thereof in accordance with the provisions of this By-law;

(9) In the event of the cost of such installations not being paid for in advance, but by deferred payments, then the cost shall be collected by the Clerk in the same manner, and in accordance with the provisions of *The Public Health Act*, namely the principal of the cost, interest on deferred payments, shall be charged against the said lands respectively, and collected in five equal annual payments, the rate of interest not to exceed Seven per cent. per annum, and that such annual payments be added by the Town Clerk to the Collector's Roll, and collected in the same manner as the Municipal taxes in the said Municipality are collected.

(10) All work executed under or in pursuance to this By-law shall be executed under the direct supervision of the Town Engineer, and to the satisfaction of the Local Board of Health for said Town;

(11) During the construction of such works, the Town Treasurer shall pay out of any funds that may be provided by the Council for such work, the amount of all progress or final certificates upon the same being certified by the Town Engineer and approved by the Local Board of Health and Council.

(12) The Town Treasurer shall keep proper books of account with reference to all such works, showing the buildings improved, the name or names of owners, the cost of each of such work, and all other necessary information.

Passed this . . . day of . . . A.D. 1924.

[SEAL]

.....  
Mayor.

.....  
Clerk.

## CHAPTER 108.

## An Act respecting the City of Niagara Falls.

*Assented to 17th April, 1924.*

**W**HEREAS the corporation of the city of Niagara Falls, Preamble.  
has by its petition, represented that it has entered into an agreement with Canadian National Electric Railways respecting the street railway system in the said city; and whereas the said agreement was on the 18th day of March, 1924, submitted to the municipal electors of the said city when 1,149 voted in favour of and 303 against the same; and whereas it is desirable and in the interests of the said corporation that such agreement and the by-law authorizing the same should be validated and confirmed and that the said corporation should be empowered to carry out the terms of the said agreement; and whereas the said corporation has by its petition prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The City of Niagara Falls Street Railways Act, 1924.* Short title.

2.—(1) Subject to the provisions of subsections 2 and 3 the by-law and the agreement forming part thereof set forth in schedule "A" to this Act are confirmed and declared to be legal, valid and binding in the same manner and to the same extent as if set out at length and the provisions thereof enacted in this Act and the said corporation is hereby authorized and empowered to pass such other by-laws and enter into such other agreements and do all such other acts, matters and things as may be deemed necessary by the said corporation for the full and proper carrying out of the provisions of the said agreement, and also may from time to time by by-law issue debentures to pay for the cost of any street paving to be undertaken by the said corporation pursuant to said agreement either under the provisions of *The Consolidated Municipal Act, 1922*, or of *The Local Improvement Act* and assess, impose,

By-law and agreement confirmed.

Incidental  
powers of  
corporation.

levy and collect rates or assessments to meet the annual payments of principal or sinking fund and interest thereon as may be requisite; provided that it shall not be necessary that any by-laws passed or other things done under the provisions of this section shall be submitted to or receive the assent of the electors of the said city qualified to vote on money by-laws and all debentures so issued shall be valid and binding upon the said corporation and upon the property liable for the rate imposed by and under the authority of any such by-law.

School taxes  
not affected.

(2) Notwithstanding anything contained therein, the said agreement shall not apply to or affect taxation for school purposes.

Taxicabs,  
etc.

(3) Nothing contained in the said agreement shall apply to vehicles such as automobiles, cabs or taxi cabs hired for special trips.

Licensing  
and regu-  
lation of  
busses.

3. Notwithstanding anything in any general or other Act contained, the council of the said corporation instead of the police commissioners of the said city shall have the power to pass such by-laws licensing and regulating buses and other vehicles as may be necessary to fully carry out any and all of the terms of the said agreement.

Purchase  
of railway  
system.

4. The said corporation is authorized and empowered to purchase the said street railway system under the terms of the said agreement and to own and operate the same notwithstanding that any portion thereof may be situate without the corporate limits of the said city, such operation to be carried on in accordance with the terms of any agreement respecting the same which may be entered into with the corporation of the municipality in which such portion is situate or failing any such agreement in accordance with such terms and conditions as may be prescribed by the Ontario Railway and Municipal Board, which is hereby vested with all necessary powers in that behalf; provided always that the said street railway system shall not be purchased unless and until a by-law setting forth the terms of such purchase has been submitted to and received the assent of the electors of the said city qualified to vote on money by-laws as provided by *The Consolidated Municipal Act, 1922*.

Commence-  
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A".

BY-LAW NO. ... OF THE CITY OF NIAGARA FALLS

A By-law to authorize a certain Agreement between the Municipal Corporation of the City of Niagara Falls and Canadian National Electric Railways, granting to Canadian National Electric Railways the rights, privileges and franchises, and upon the terms and conditions in the said Agreement mentioned.

Whereas the Canadian National Electric Railways is duly incorporated under the Laws of the Dominion of Canada, the whole of the stock of which is vested indirectly in the Crown in the right of the Dominion of Canada.

Now therefore the Municipal Corporation of the City of Niagara Falls enacts as follows:—

1. The Mayor and Clerk of the City of Niagara Falls are hereby authorized, instructed and directed to execute the Agreement set forth in Schedule I hereto, which is hereby incorporated in and made a part of this By-law, to attach the seal of the Corporation thereto, and forthwith thereafter to deliver the same to the Canadian National Electric Railways.
2. This By-law shall take effect on the day of the passing thereof, subject to its being assented to by the Municipal Electors.
3. The Mayor, Clerk, Solicitor and Manager and other Municipal officers of the City of Niagara Falls are hereby authorized and instructed to take such steps and proceedings and do such things as may be reasonably requested by the Railway to procure the passing of an Act of the Legislature of the Province of Ontario, approving and validating this By-law and the said Agreement and granting to the Municipal Corporation of the City of Niagara Falls all necessary and incidental powers to enable said Corporation to carry out and do all things to be carried out and done by it under the said Agreement, but all at the expense of Canadian National Electric Railways.

.....  
Mayor.  
.....  
Clerk.

### SCHEDULE I

This Indenture made in quadruplicate the first day of January in the year of Our Lord, one thousand nine hundred and twenty-four.

Between:

CANADIAN NATIONAL ELECTRIC RAILWAYS,  
hereinafter called the "Railway"

of the first part,

—and—

THE CORPORATION OF THE CITY OF NIAGARA FALLS,  
hereinafter called the "Corporation"

of the second part.

Whereas the Railway has offered to provide and operate the "Local Lines" of its Railway as defined herein, and to provide and operate a local transportation system for the City of Niagara Falls and its environs on the basis of "service at cost" upon the terms and conditions hereinafter set forth.

And whereas by By-law duly passed by the Municipal Council of the Corporation and assented to by the Municipal electors of the City of Niagara Falls qualified to vote thereon, the Mayor and Clerk of the Corporation have been authorized and directed to execute, seal and deliver this Agreement on behalf of the Corporation.

Now therefore this Indenture witnesseth that for valuable consideration the parties hereto covenant and agree as follows:—

#### *Section I*

#### *Definitions*

In this Agreement and in any By-law or Resolution incidental hereto or provided for hereunder, unless the context otherwise requires.

1. The "Railway Board" shall mean the Board of Railway Commissioners for Canada, or any other body which, under any Act of the Parliament of Canada, may succeed or be substituted therefor, or exercise the like or similar powers.

2. "City" shall mean the area comprised within the present municipal boundaries of the City of Niagara Falls, and all such additional areas as may hereafter from time to time be annexed thereto during the existence of this Agreement, or any extension or renewal thereof from the time each additional area is annexed.

3. "Gross Receipts" shall mean and include the aggregate of all sums received by the Railway in the conduct of the business of "Local Lines," and fares received on locally operated cars on such portions of the Railway as are not included in "Local Lines," and the appropriation provided for by Section XXXIX of this Agreement.

4. "Operating Expenses" shall mean and include all expenditure and liabilities usually classified as such in the "Uniform System of Accounts for Electric Railways," prescribed by the Interstate Commerce Commission, but in any event shall include all expenditures and liabilities for repairing, maintaining, preserving, renewing, replacing the Local Lines Works and operating the "Local Lines" in so far as they are not properly chargeable to "Property Value" or paid or payable out of the Repair, Maintenance and Depreciation Reserve herein provided for; and/or (in so far as they are not properly chargeable to "Property Value") fire, tornado, boiler, liability, public liability, employer's liability and other insurance premiums, legal expenses, accounting and office expenses, all rentals, annual or periodical payments for the use of property or rights, leases, taxes and charges of whatever nature imposed by Governmental or Municipal

authority,

authority, damages to persons or property, expenditures for officers' salaries and expenses, and for advertising; and, without limitation by the preceding enumeration, all expenditures and liabilities properly made and incurred and not chargeable to "Property Value," save as herein otherwise specifically provided.

Until the inclusion of additional working capital in "Property Value," all interest paid on such additional working capital shall be charged as an "Operating Expense."

5. "Extensions, Betterments and Improvements." This expression is used in contradistinction to "Repairs to and Maintenance, Renewals and Replacements of" property.

"Extensions, Betterments and Improvements" shall, with respect to existing and new "Local Lines" and such portions of "Special Lines" and other lines as may by agreement between the parties hereto be included in "Local Lines," mean and include all and any acquisitions, construction, additions, extensions, improvements and betterments, including tracks switches, sidings, overhead trolleys and feeder systems, signal systems, street paving, sidewalk, street and other special or local improvements, power houses, substations, car houses, shops, machinery, rolling stock, tools, appliances, equipment, transmission lines, real estate, buildings and other property; and without limitation by the preceding enumeration, generally shall include everything for which expenditure is made and which is not properly chargeable to "Operating Expenses" or not properly chargeable to or paid or payable out of the Repair, Maintenance and Depreciation Reserve, and shall include interest during construction.

6. "Rolling Stock" shall mean and include all motor cars, trailers, snow ploughs, buses and every description of car and all railway and other equipment whatsoever designed for movement on its own wheels in the operation of the "Local Lines" and of such "Special Lines" and other lines, as are by agreement between the parties hereto, hereafter included in "Local Lines."

7. "Return" shall mean the rate of return provided for herein upon "Property Value."

8. "Track Allowance" shall mean the portion of the street occupied by the Railway and shall include all the space between the outer rails of its tracks, whether single or double tracks, turnouts or switches, and in addition thereto eighteen inches (18") outside of the gauge side of each of the said outside rails.

9. "Railway" shall mean the Canadian National Electric Railways and shall include the successors and assigns thereof.

10. "Local Lines" shall mean all lines of street railway or other means of transportation upon the following streets:—

*Victoria Avenue* from Bridge Street to McDougall Avenue.

*Bridge Street* from River Road to Erie Avenue.

*Erie Avenue* from Bridge Street to Queen Street.

*Queen Street* from Erie Avenue to Victoria Avenue.

*Victoria Avenue* from McDougall Avenue to Magdalen Street.

*Clifton Street* from Magdalen Street to Ferry Street.

*Ferry Street* from Clifton Street to Main Street.

*Main Street* from Ferry Street to Murray Street.

*Portage Road* from Murray Street to a street running East and West being part of Ranges I and II, "City of the Falls Survey"

*Said East and West Street* from Portage Road to Stanley Street.

*Stanley Street* from said East and West Street to the Michigan Central Railroad (Montrose).

*Lundy's Lane* from Main Street to Winery Road.

(The above being referred to, in Section XIV hereof, as the "Initial Scheme") and

*Stanley Street* from Ferry Street to the northerly limit of the City.

the whole of the above mentioned lines being referred to, in Section XIV hereof, as the "Complete Scheme"; and also such parts of lines of Railway

situate wholly within or running along the limits of the City or extending beyond the City Limits which are, by agreement between the parties hereto, hereafter declared to be "Local Lines."

11. "Special Lines" shall mean and include such lines of Railway as are by agreement between the parties hereto declared to be "Special Lines."

12. "Interurban Lines" shall mean and include all lines of Railway other than "Local Lines" or "Special Lines."

13. "Local Lines Works," "Special Lines Works," "Interurban Lines Works" shall mean and include respectively, as applied to the respective lines as herein defined, all tracks, switches, sidings, overhead trolley and feeder systems, signal systems, street paving, sidewalks, street and other special or local improvements, power houses, substations, car houses, shops, machinery, rolling stock, tools, appliances, equipment, transmission lines, real estate, buildings and other property.

14. "Joint Railway Works" shall mean and include all things which, while included in "Local Lines Works" or "Special Lines Works" or "Interurban Lines Works," may be common to the use and operation of two or more of them.

15. "Property Value" shall mean and include:—

(a) The aggregate of all sums whatsoever expended by the Railway for extensions, betterments and improvements of its "Local Lines Works" executed hereafter and shall also include any and all sums of money provided by the Railway as working capital for the operation of "Local Lines," and also all sums of money expended for organization expenses, legal and engineering fees, advertising, the expenses of obtaining the approval of the electors of the City of Niagara Falls and the confirmation of the Agreement by the Legislature of Ontario and all other expenses incidental to the organization and completion of the enterprise.

(b) The aggregate of all sums expended by the Railway for renewals and replacements, executed subsequent to the date hereof, of existing property included in "Local Lines Works"; provided however that, subsequent to the inclusion in "Property Value" of such items of property, the repairs to and maintenance and depreciation of such items of property, thereafter, shall be paid out of the Repair, Maintenance and Depreciation Reserve.

(c) "Property Value" shall also include half the cost of

- (1) Lands required for construction of a highway forty feet (40') in width and for right of way for a double track railway thirty-three feet (33') in width.
- (2) Grading for Highway and Railway.
- (3) Structures.
- (4) Damages for closing of streets,

all in connection with a street and right of way, which it is proposed to acquire and, so far as said forty feet (40') is concerned, to dedicate for highway purposes from Victoria Avenue to a point at or near the Upper Arch Bridge on River Road, it being, however, understood and agreed that the said thirty-three feet (33') in width shall be a private right of way of the Railway and that the tracks thereupon shall not be included in "Local Lines Works" but in "Interurban Lines Works."

16. "Depreciation" shall mean the unavoidable lessening of useful life due to impairment from any cause whatever, and is expressed as an amount which is a percentage of the actual cost new, less salvage, of the particular item under consideration, said percentage being the proportion which said lessening of useful life bears to the total useful life of the particular item.



17. "City Engineer" shall mean the person for the time being holding the office of City Engineer of the City of Niagara Falls, or the person who shall for the time being exercise the duties of City Engineer.

18. "Franchise" shall mean and include all rights and privileges hereby granted to the Railway in respect to "Local Lines" and "Special Lines."

19. "Fiscal Year" shall mean and correspond to the Calendar year. The first Fiscal Year shall be the Calendar year of 1924 or any portion thereof ending on the 31st day of December, 1924.

20. "Street" shall include any public place.

21. "Transportation System" shall mean any system for carriage of passengers by the operation of electric cars, either on tracks or without tracks, or by the operation of motor buses by gasoline, electricity or other power, except steam, (unless the Corporation otherwise agrees), and any system for the operation of vehicles for the carriage of passengers, but shall not include vehicles hired for special trips, such as cabs and taxi cabs.

22. The singular shall include the plural.

#### *Section II—Grant*

The Corporation hereby grants to the Railway for the term of twenty years from the 1st day of January, 1924, or until the termination hereof as hereinafter provided, the exclusive right, franchise and privilege to construct, reconstruct, maintain, lease, use, own and operate a transportation system with any necessary single, double or more tracks, together with all railway and other works usually necessary and incidental to the construction, equipment and operation thereof to the extent mentioned and authorized in and by this Agreement and upon the terms hereinafter mentioned and for the said purposes to use, occupy and operate upon the herein mentioned streets, it being the intent and meaning hereof that the Railway shall not be subject to competition in its business of transporting passengers, whether such competition be in the nature of motor buses or otherwise.

#### *Section III—Streets for Local Lines*

(a) For Local Lines the said streets shall be as follows, namely, those mentioned for the Initial and Complete Schemes in Definition 10, Section I, hereof.

(b) Such additional street or streets for Local Lines and /or Special Lines, as may from time to time be agreed upon between the parties hereto.

#### *Section IV—New Street*

The Railway agrees to establish a new street, hereinafter called the "New Street," and to dedicate the same for highway purposes, forty feet (40') in width, from Victoria Avenue to a point on the River Road at or near the Upper Arch Bridge, and to purchase or provide a right-of-way alongside of said "New Street," for interurban purposes, thirty-three feet in width, and for this purpose to procure the lands necessary for the same, make the necessary excavations to establish the grade upon which pavement foundation may be laid, and to provide the necessary overhead bridges, it being understood that the forty feet above mentioned shall be a highway and the thirty-three feet above mentioned shall be a private right-of-way of the Railway. The said street may be described as follows:—

All those portions of the lots shown on the plan and mentioned in the Book of Reference received for deposit and filed in the office of the Registrar of Deeds for the County of Welland on the 9th day of August, A.D. 1923, as Deposit Number one hundred and ninety-four (194) lying between the following described line and a line drawn parallel thereto at a distance easterly therefrom of forty (40') feet measured at right angles thereto. The said line may be described as follows:—

Commencing

Commencing at a point on the Easterly limit of Lot 113 said point being 121 feet distant measured South easterly from the North east angle of said Lot 113. Thence North  $45^{\circ} 16'$  E. 9 feet to a point, said point being 16.5 feet distant measured South easterly from and at right angles to the Centre Line of the proposed Canadian National Electric Railways Extension. Thence on a curve to the left having a radius of 653.8 feet across lots 30 and 31, according to registered plan No. 14 and registered in the Registry office for the County of Welland, to a point on the Westerly limit of Alma Street, said point being 10 feet distant measured South easterly from the North East angle of said lot 31. Thence continuing on said curve across Alma Street to a point on the East limit thereof, said point being 20 feet distant measured South easterly from the North west angle of Lot No. 24, as shown on said registered Plan. Thence continuing on said curve across Lots 24, 23, 22, 13, 14, 15 and 16 according to said Registered Plan to a point on the Westerly limit of Bender Street, distant 12 feet measured South easterly from the North east angle of said Lot 16. Thence continuing on the said curve across Bender Street to a point on the Easterly limit thereof, said point being 31 feet distant measured South easterly from the North west angle of Lot 135 according to Registered Plan No. 29. Thence continuing on said curve across lots 135, 136, 137, 138, 139 and 140 according to said registered plan to a point on the Westerly limit of a 20 foot lane said point being 40 feet distant measured South easterly from the North east angle of said Lot 140. Thence continuing on said curve 5 feet to a point said point being 16.5 feet distant measured Easterly from, and at right angles to the Centre Line of the proposed Canadian National Electric Railways Extension. Thence North  $27^{\circ} 22'$  West across said Lane to a point on the Easterly limit thereof, said point being 2 feet distant measured South easterly from the North West angle of Lot 120 according to said Registered Plan No. 29. Thence continuing on the same course across lots 120, 119, 118, 117 to a point on the Southerly limit of Ontario Street, said point being 52.5 feet distant measured Easterly from the North West angle of said Lot 117. Thence continuing on said course across Ontario Street to a point on the northerly limit thereof, said point being 17 feet distant measured Easterly from the South West angle of Lot 149 according to said Registered Plan No. 29. Thence continuing on the same course across lots 149 and 150 to a point on the Southerly limit of a 15 foot lane, said point being 3.5 feet distant measured Easterly from the North west angle of said Lot 150. Thence continuing on the same course across said lane to a point on the southerly limit of the Right-of-Way Lands of the Michigan Central Railroad Company, said point being 257.5 feet distant measured Easterly along said Right-of-Way limit from the Easterly limit of Bender Street. Thence continuing on the same course across the said Railway Company lands and across Palmer Avenue to a point on the Northerly limit of Palmer Avenue, said point being 10.5 feet distant measured Westerly from the South east angle of Lot 454 according to Registered Plan 747. Thence continuing on the same course across Lots 454, 451 and 450, according to said registered plan, to a point on the easterly limit of Inskip Avenue, said point being 9.5 feet distant measured southerly from the North west angle of said Lot 450. Thence continuing on the same course across Inskip Avenue to a point on the Westerly limit thereof, said point being 14 feet distant measured Southerly from the North east angle of Lot 448, according to said registered plan 747. Thence continuing on the same course across lots 448, 422, 423, 424 and 425, according to said Registered Plan 747 to a point on the Southerly limit of Cookman Avenue, said point being 5 feet distant measured Westerly from the north east angle of said lot 425. Thence continuing on the same course across Cookman Avenue to a point on the northerly limit thereof, said point being 20.3 feet distant measured westerly from the south east angle of lot 403, according to said registered plan 747. Thence continuing on the same course across lots 403, 402 and 401, according to said Registered Plan 747, and across lot 400A according to Registered Plan 37, a distance of 157 feet to a point, said point being 16.5 feet distant measured North easterly from and at right angles to the Centre Line of the proposed Canadian National Electric

Railways Extension. Thence on a curve to the right having a radius of 328 feet across said Lot 400A to a point on the easterly limit of Victoria Avenue, said point being 8 feet distant measured southerly from the north west angle of said Lot 400A.

Excepting thereout and therefrom the Right of Way of the Michigan Central Railroad Company and lands of the Pere Marquette Railroad Company or held in trust for it or any of its subsidiary Companies, but including any easement or right of way obtained by the Railway in respect to such right of way and lands.

Also a strip of land forty (40) feet in width across Lots 112 and 113 as said lots are shown on the said plan from the easterly limit of Lot 113 to the River Road, said strip at the said easterly limit of Lot 113 to be in exact juxtaposition with the above described forty (40) feet at the said limit.

#### *Section V—Motive Power*

It is contemplated that the motive power for the operation of the Local Lines shall be electricity or such other power as may be agreed upon between the Corporation and the Railway. In default of agreement, either party may apply to the Railway Board and the Railway shall, if the order of the Board is upon the application of the Corporation, and may, if the order of the Railway Board is upon the Railway's application, thereafter use such power as the Railway Board orders.

#### *Section VI—Franchise Exclusive*

During the term of this Agreement or any extension or renewal thereof, the Corporation shall not give or grant, or permit to be granted, to any other person, partnership, company or corporation, any right, privilege, license or franchise to own, construct, reconstruct, maintain, use or operate either wholly within the City, or within such distance beyond its limits as may be permitted by law, any "bus, jitney or other similar vehicle" for the purpose of transportation, for gain or profit, which in any way depreciates the rights, privileges and franchises hereby granted or which shall or may come into competition with the Local Lines of the Railway.

In no case shall such buses, jitneys, or other similar vehicles be permitted to take on passengers within the City and discharge such passengers within the City.

The Railway, with the consent of the Corporation, and on such terms as may be agreed upon, may grant running rights for passenger cars, to any other Electric Railway operating without the City, over the Local Lines, and in case such other Electric Railway desires an entrance to the City and the Railway and Corporation cannot agree as to whether such running rights should be granted, or the terms upon which they should be granted, the Railway Board may grant the said running rights and fix the terms upon which the same shall be granted.

#### *Section VII—Erection and Maintenance of Poles*

The Railway may erect and maintain such poles as may be useful for its purposes at such places on the streets and public places as may be reasonable, but subject to the consent, as to location, of the City Engineer, Such consent shall not be unreasonably withheld.

Poles to be erected to be of a type approved by the City Engineer.

In case it becomes necessary for the purpose of any civic improvement to re-locate any pole, the Railway shall forthwith, upon notice by the City Engineer, re-locate the same as directed by the notice, and the Corporation shall thereupon pay to the Railway one-half of the cost of such re-location. If the Railway fails to re-locate any pole, within the time mentioned in the notice, which shall be not less than five days, the Corporation may itself re-locate such pole, and the Railway shall thereupon pay to the Corporation one-half of the cost of such re-location.

*Section VIII—Use of Poles*

For the purpose of preventing duplication of poles as far as practicable, the Corporation shall have the right to use the Railway's poles for carrying the wires of the Corporation's Police and Fire Alarm Systems, provided such poles shall not be so used as to interfere in any way with the use of such poles by the Railway, and provided further that such use by the Corporation shall not entail any additional cost or expense to the Railway, and in that event only upon payment by the Corporation of such additional cost or expense, and so far as practicable, and only so far as the Corporation's authority extends, the Railway shall have the right to use any poles over which the Corporation has control, provided such use by the Railway shall not entail any additional cost or expense to the Corporation and in that event only upon payment by the Railway of such additional cost or expense.

*Section IX—Track Allowance and Grade*

The Corporation hereby agrees to provide upon the streets referred to herein a proper and suitable Track Allowance, and to permit the Railway to occupy the same as in this Agreement provided, and shall establish a grade upon which to construct the Railway. After establishment by the Corporation of the said grade, no alteration or change thereof shall be made without the consent of the Railway Board, and any and all expenses occasioned to the Railway, by reason of such alteration or change, shall be borne by the Corporation.

*Section X—Maintenance and Repair of Streets*

The Corporation shall maintain the streets where the Railway has its tracks, in proper repair; provided that, whenever the pavement or surface is taken out by the Railway for the purpose of maintenance, or where the foundation of the Railway works proves defective or insufficient, the Railway shall forthwith repair the street, and restore the same to its former condition at its own expense, and any amount so expended shall be charged to maintenance. Any liability which may be created or any injury or damage which may be occasioned to any person by reason of the non-repair of any street shall be borne by the party in default. Each party hereto hereby agrees to indemnify and save harmless the other from any loss, damage, costs, charges and expenses occasioned by the failure of the party in default to observe the provisions of this Section.

*Section XI—Surrender of Existing Franchises*

The Railway hereby surrenders to the Corporation all its rights, privileges and franchises heretofore granted and within the City and it is declared and agreed that the rights of the Railway to use the streets of the City for "Local Lines" shall be as hereby agreed and not otherwise.

*Section XII—Fixed Assessment*

The Corporation hereby grants to the Railway, for the period of the franchise hereby granted, a fixed assessment of Twenty Thousand dollars, upon all the real and personal property comprising the Local Lines Works, for all purposes of Municipal Taxation including business tax and school rates, but not including Local Improvement rates.

*Section XIII—Commencement of Work*

The Railway shall commence to construct and re-construct the Local Lines Works within ten days from the date upon which the Act of the Legislature ratifying this Agreement referred to herein shall come into force.

*Section XIV—Completion of Work*

Subject to the provisions of Section XXIV hereof, the Railway shall construct and complete the Local Lines Works comprised in the Initial Scheme, on or before the thirty-first day of December, 1924, and the

Local Lines Works additional comprised in the Complete Scheme on or before such date as may be agreed upon between the parties hereto; PROVIDED, however, that if it is agreed between the Railway and the Corporation that the public interest will be better served by extending at any time, or from time to time, the period for constructing such Railway Works, or any part thereof, such period may be extended. As expenditures are from time to time made for the construction or reconstruction or rehabilitation of said Local Lines Works, the total amount thereof shall be added to the Property Value.

#### *Section XV—Substitution of Other Streets*

The Railway may, with the consent of the Corporation, expressed by Resolution of the Council, substitute any other street or streets or parts of streets for any street or streets or parts of streets herein named.

#### *Section XVI—Further Extensions*

If the Corporation or the Railway should consider that any extension, betterment or improvement other than those herein mentioned is desirable, either party may propose such other extension, betterment or improvement and the Railway shall prepare a statement showing in reasonable detail the estimated cost thereof, the probable expected revenue therefrom and the purpose for which such work is required, with plans and specifications showing the contemplated work necessary for the intelligent understanding of the same. Such extension, betterment or improvement shall not be undertaken if the same shall impair or jeopardize the then existing or estimated future ability of the Railway to earn, at the rate of fare provided for in item "C" of the Fare Schedule, the Return upon Property Value. The cost of any such extension, betterment or improvement shall be added to Property Value.

#### *Section XVII—Transport of Material, Etc.*

The Railway shall have the right to transport as freight over the Local Lines, free of any charge, all material, tools, machinery and plant intended for use in the construction, reconstruction, maintenance and repair of its Railway works.

#### *Section XVIII—Removal of Material*

In constructing or reconstructing its tracks the Railway, after having made the excavations and placed the rails and other necessary apparatus, shall remove the surplus earth and other materials taken from the excavations and shall reconstruct at its own expense that part of the street where it has so excavated to lay its tracks, in order to place the same in the same condition as it was when the excavation was made, and for that purpose shall use the materials which the Corporation shall consider the most advantageous, provided such materials be of the same quality as those employed for the pavement of the street so excavated at the time such excavation was made. But if the Corporation avails itself of such excavation to substitute another and more expensive kind of pavement in the said street or streets, in whole or in part, the Railway shall then have the right to recover from the Corporation the excess of the cost. The Corporation may itself, however, construct such new kind of pavement but it shall charge to the Railway and the Railway shall pay only the amount which the latter would have been called upon to spend to restore the street to its former condition.

This Section shall apply to streets upon which there are permanent pavements at the time of constructing or reconstructing any of the Railway's tracks.

#### *Section XIX—Foundation for Track Allowance*

The Railway shall provide a proper foundation for its Track Allowance, and in the event of the Corporation constructing a pavement on any street occupied by the Railway for Railway Works, the Railway shall, subject to the provisions of Section XX hereof, if so required by the Corporation, provide materials and labour and do all things necessary

to complete the pavement of the Track Allowance at the cost of the Corporation to be paid for by the Corporation immediately upon completion.

(a) The Corporation may with respect to the cost of the pavement of the New Street and of the Track Allowance (including therein only the allowance for one track being seven feet eight and one-half inches in width on any street), issue debentures bearing interest at  $5\frac{1}{2}\%$  per annum and having coupons attached thereto for the payment of the interest, such debentures to be payable in equal annual instalments of principal and interest during the period of ten years from the date of issue thereof respectively. The proceeds of the sale of the said debentures shall be applied only for the purpose of paying the said cost.

The Railway agrees that the amount of the principal and interest of any such debentures issued for paving the Track Allowance shall be repaid to the Corporation out of any surplus Gross Receipts, item "C" of the Fares Schedule being in effect, after providing for the payments and applications mentioned in section XXXI hereof.

#### *Section XX—Cost of Paving*

If the Corporation requires the Railway to complete the paving within the limits of its Track Allowance on any street, the Corporation shall pay to the Railway the cost which the Corporation would have had to pay for paving, including a six inch (6") concrete foundation for same, within such limits and the basis of computation of such cost shall be the cost to the Corporation of similar paving work based on actual current costs, or failing which, based on a reasonable estimate of such cost to be agreed upon between the Railway's representative and the City Engineer.

The Corporation, shall not, in any case, be liable for any part of the cost of pavement constructed outside the city.

#### *Section XXI—Foundations on Streets Where Open Track Construction When Paved*

If and when the Corporation shall decide to construct a permanent pavement upon any street upon which there are tracks of the Railway of open track construction, the Railway, upon receipt of notice that the Corporation intends to construct such permanent pavement, shall within six months thereafter lay at its expense a proper foundation for its Track Allowance on such street.

#### *Section XXII—Verification of Cost of Paving*

The Corporation shall permit the Railway to investigate and verify from its records the cost of paving mentioned in Section XX as the basis of computation.

#### *Section XXIII—Electrolysis*

The Railway, when operating any portion of its Railway by means of electricity, shall use the most effective means of preventing, as far as possible, damage by electrolysis; and the Corporation agrees to co-operate with the Railway in considering and deciding upon the most effective means to be used and in respect to all future work to be done by the Corporation it also shall use in connection therewith such means as shall then be known and generally adopted to prevent, as far as possible, damage by electrolysis.

#### *Section XXIV—Delay by Strikes or Other Causes*

Should the Railway be unable by reason of strikes, or non-delivery of material or other causes, beyond its control, to complete any of the Local Lines Works and operate same as herein provided for within the period of time permitted for such purpose, the Corporation shall in every case upon the application of the Railway grant the Railway a reasonable extension within which to complete the said Local Lines Works.



*Section XXV—Insurance*

The Railway shall at all times by some reasonable insurance system keep its properties insured to the full amount of their insurable value.

In case of the loss of or damage to property included in "Property Value", or Schedules "A" or "B", if the same is replaced there shall be no alteration thereby in "Property Value" or either of the said Schedules. If the same is not replaced or repaired an amount shall be deducted from "Property Value", or Schedule "A" or "B", equal to the value of the item or items in "Property Value", or Schedules "A" or "B", as the case may be, or to the extent of the damage thereto. If the replacement or repair is not to the full extent of the loss or damage, the difference between the actual amount spent for replacement or repair and the value of the item or items lost or damaged, as the same appear in "Property Value", or Schedules "A" or "B", shall be deducted from "Property Value", or Schedules "A" or "B" as the case may be.

*Section XXVI—Right of Way for Cars on Track Allowance*

The cars of the Railway shall have the right to use the Track Allowance as against all other traffic whatsoever, and all other traffic on the Track Allowance, whether meeting, proceeding in the same direction or crossing, shall turn out and off the Track Allowance and permit the said cars to pass, and shall in no case and under no pretence whatever obstruct or hinder the passage thereof and the free use of the Track Allowance by the cars of the Railway.

*Section XXVII—Removal of Tracks, Etc., for Municipal Works*

When and so often as it may be necessary for the Corporation to remove the tracks of the Railway or otherwise to interfere with the Railway's property in order to carry out any municipal work in a street where the Railway has its tracks, such work, including the restoration of the Railway's property to its condition immediately prior to the said interference, shall be done by the Corporation at its cost. If the Corporation so requests, the Railway shall rebuild or restore at the Corporation's expense that portion of the Railway's property so affected.

*Section XXVIII—Moving Buildings*

The Railway shall on receipt of notice from the City Engineer that he has granted a permit to anyone to move or transport any building, structure or other object on or over any street, part of which is occupied by the Railway for Track Allowance, make such arrangement with respect to the operation of the Railway, including the Interurban cars, as may be necessary during the time of the transportation of such building, structure or other object whether by temporary re-routing of cars, cessation of operation, or otherwise as the occasion may require, and shall adopt all precautions necessary for the protection and safety of passengers and of all railway works against accident, damages or danger and the Corporation shall be under no obligation or expense to the Railway for or by reason of the moving or transportation of such building, structure or object or anything which may happen or flow therefrom, provided that the Railway shall not be required to remove or disturb any portion of its railway works, except at the expense of the person to whom the permit for moving or transportation of such building, structure or object has been granted, and before such removal or disturbance the Railway shall make an estimate of the cost, the amount of which estimate shall be paid or deposited with the Railway before such removal or disturbance is undertaken. If the actual cost is less than the estimate, the amount of the difference shall be immediately refunded by the Railway to the person who paid it or, if the actual cost exceeds the amount of such estimate, the amount of such excess shall be immediately paid by such person to the Railway.

*Section XXIX—Right of Fire Chief to Cut Wires, Etc.*

If in case of fire the Chief of the Fire Department of the Corporation or other officer thereof for the time being in charge of such Department

shall

shall deem it necessary to cut or pull down any part of the overhead equipment of the Railway which in his judgment obstructs the operations of the firemen in fighting a fire, he shall have the right to direct the same to be cut or pulled down and he may also for the same purpose direct that the transmission of electrical power be immediately stopped and that operation of cars shall cease opposite to or near the scene of the fire for such period and to such extent as he may deem necessary and the Corporation shall not incur any responsibility or liability to the Railway for anything so done or for any damage, injury or expense thereby caused.

#### *Section XXX—Removal of Snow*

The Railway shall remove the snow from its Track Allowance, but any snow put upon the travelled part of the highway by the Railway shall be evenly spread thereon by the Railway in a manner to be approved by the City Engineer.

If the Corporation removes the snow from any street upon which the Railway has its tracks, the Railway shall pay to the Corporation one quarter of the cost of such removal on streets or portions of streets upon which there is a single track and one third of such cost on streets or portions of streets where there is a double track. Such payment shall be made in thirty days after the account for same is rendered. The Railway shall have the right to inspect and verify all books, pay sheets and vouchers of the Corporation in respect to any account rendered for snow removal.

#### *Section XXXI—Application of Gross Receipts*

"Gross Receipts" shall be applied as follows:—The Railway shall at the beginning of each Calendar month apply the Gross Receipts of the Calendar month next preceding for the purposes and in the order following, viz.:—

- (1) To pay operating expenses.
- (2) To apply towards the creation and maintenance of the Repair, Maintenance and Depreciation Reserve an amount equal to ten per cent. (10%) of the Gross Receipts for such month.
- (3) To provide and pay (after meeting the requirements of the foregoing paragraphs (1) and (2) the herein authorized Return upon Property Value at the rate then applicable and to the extent set forth in Sections XXXII and XXXV hereof.
- (4) To add (after meeting the requirements of the foregoing paragraphs (1) to (3) inclusive) the balance of Gross Receipts for such month then remaining to said Repair, Maintenance and Depreciation Reserve until the total additions thereto from all sources for the portion of the then current Calendar year up to the end of such month shall amount to eighteen per cent. (18%) of the total Gross Receipts derived during said portion of such year.
- (5) To add (after meeting the requirements of the foregoing paragraphs (1) to (4) inclusive) from the balance of Gross Receipts of such month then remaining, provided that the contributions to said Repair, Maintenance and Depreciation Reserve from all sources in any Calendar year or years shall have been less for any such year or years than eighteen per cent. (18%) of the total Gross Receipts derived in such year or years, further amounts to said Repair, Maintenance and Depreciation Reserve up to the amount of such deficit.
- (6) To apply (after meeting the requirements of the foregoing paragraphs (1) to (5) inclusive) the balance of the Gross Receipts for such month from all sources to the creation and maintenance of Surplus Reserve. When the amount of the Surplus Reserve is equal to eight per cent. (8%) of the contemporaneous Property Value, and of the sum of the values of the items in Schedule "A," such reserve shall be considered Normal.



- (7) To apply, after Surplus Reserve has reached Normal, the balance of the Gross Receipts for such month to the reduction of the item of Property Value mentioned in Section I, paragraph 15, sub-paragraph (c) hereof, until the same has been reduced to zero, when no further application of Gross Receipts shall be made under this Paragraph.

The obligation of the Railway to make the applications and additions to the Repair, Maintenance and Depreciation Reserve in accordance with the provisions of Paragraphs (4) and (5) of this Section shall be suspended when and so long as the total of such Reserve equals or exceeds Normal.

The Repair, Maintenance and Depreciation Reserve shall be considered Normal when the amount of such Reserve equals ten per cent. (10%) of the contemporaneous Property Value, and of the sum of the values of the items in Schedule "A".

Should the percentages mentioned in this Section prove to be out of proportion, or either inadequate or too great, any percentage may be altered by agreement between the parties hereto.

#### *Section XXXII—Authorized Return*

It is agreed that the Return which the Railway shall be authorized to receive shall be at the rate of six per cent. (6%) per annum on Property Value, as same is determined from time to time in accordance herewith, during the period or periods that the fares provided for in items (C), (D) or (E), or items higher in amount, of the Fares Schedule hereinafter set forth are charged, and for every reduction in fares to items lower in amount than item (C) in such Fares Schedule, the rate of return shall be increased by one per cent. (1%) on Property Value for each reduction of one item in said Fares Schedule, and if at any time hereafter the fares charged shall be thus fixed in any item lower in amount than Item (C) and shall be increased to items higher in amount in said Fares Schedule, the then prevailing rate of return shall correspondingly be reduced step by step by one per cent. (1%) on Property Value for each increase of one item in said Fares Schedule so that whenever Item (C), (D) or (E), or an Item higher in amount, of the Fares Schedule is in force the rate of return shall be six per cent. (6%) on Property Value

#### *Section XXXIII—Repair, Maintenance and Depreciation Reserve*

The Railway covenants that it will at all times keep all its property in good and reasonable order and repair and as a whole in a condition to give effective service. To this end and to the end also that replacements and renewals may be made from time to time as necessary to maintain the property including the items in Schedule "A", in such condition and to offset depreciation in the physical condition of the property as a whole, and that new types of equipment may be introduced to supersede those that have become antiquated or obsolete according to commonly accepted commercial standards in the business, the Railway will set up in the manner herein provided a Repair, Maintenance and Depreciation Reserve and will use the same when and to the extent necessary for such purposes and for those purposes only save as herein otherwise provided.

Whenever the Repair, Maintenance and Depreciation Reserve is below Normal, as defined in Section XXXI hereof, the Railway, if it shall desire so to do, may build the same up to Normal by increasing the monthly or other periodic additions or by making transfers to it from the Surplus Reserve; and if the Surplus Reserve is more than ten per cent. (10%) above Normal, as defined in Section XXXI, Paragraph (6) hereof and the Repair, Maintenance and Depreciation Reserve is below Normal, the Railway shall make transfers from the Surplus Reserve so far as the same will thereunto extend, to said Repair, Maintenance and Depreciation Reserve to the extent necessary to build it up to Normal, but this obligation shall not operate to require the Railway to make any transfer from the Surplus Reserve which will reduce it to less than ten per cent. (10%) above Normal.

*Section XXXIV—Surplus Reserve*

Surplus Reserve whether above or below Normal, as defined in Section XXXI, Paragraph (6) shall be available for and may be used as an equalizing fund to promote the orderly and economical operation and development of the Railway's business, and to provide for any unexpected or unusual contingencies or reverses therein and to this end (but without limitation of the foregoing) the Surplus Reserve shall be available specifically to aid in:

- (a) Carrying temporarily the charges or burdens incident to any unprofitable stages of extensions or additions to the Local Lines Works, but not interest during construction;
- (b) Carrying the burdens incident to the reduction in fares or other important changes injuriously affecting the Revenues of the Railway for the time being;
- (c) Preventing frequent or violent fluctuations in fares;
- (d) Promoting the continuous and consecutive monthly, quarterly or other periodic payment of the Return, including any accumulated deficits and interest thereon with respect thereto as in Sections XXXII and XXXV hereof provided; and
- (e) Providing for other purposes and uses as elsewhere herein authorized to be made from said Reserve.

*Section XXXV—Reduction and Increase of Fares*

Whenever after paying or providing for the authorized Return, the Repair, Maintenance and Depreciation Reserve is not less than Normal, and the Surplus Reserve exceeds Normal by fifty per cent. (50%), the then fares shall be reduced to the item next lower in amount in the Fares Schedule hereinafter set out, and if after operating six months under such lower item the Gross Receipts have been sufficient to pay and provide the Return and to maintain the said Repair, Maintenance and Depreciation Reserve at Normal and the Surplus Reserve shall then exceed Normal by more than thirty per cent. (30%), the then fares shall again be reduced to the item next lower in amount in the Fares Schedule.

A further reduction shall thereafter be made at intervals of six (6) months by steps each to the item next lower in amount in the Fares Schedule, until said Return being paid and the said Repair, Maintenance and Depreciation Reserve being Normal, said Surplus Reserve shall amount to less than ten per cent. (10%) in excess of Normal provided however that fares shall not be reduced until the Railway's earnings have been sufficient and available to pay the return for the period from the date when the Railway commenced to operate hereunder, together with interest at six per cent. (6%) on any deficiency of Return up to and including the date that any such reduction in fares is to become effective.

Whenever the Surplus Reserve is reduced to one-half of Normal the Railway shall have the right to increase its fares from the item then in force to the item next higher in amount in the Fares Schedule and if at the end of six months after such increase, said Surplus Reserve is less than eighty per cent. (80%) of Normal, the Railway shall have the right again to increase its fares from the item then in force to the item next higher in amount in the Fares Schedule and to continue to increase its fares by steps from the item then in force to the item next higher in amount in the Fares Schedule at intervals of not less than six months, until such Surplus Reserve is at least ninety per cent. (90%) of Normal, and thereafter the Railway shall not have the right to increase its fares until the Surplus Reserve is again reduced to one-half of Normal.

Change of Fares shall go into effect on the first day of the month following the existence of the conditions upon the existence of which the change is to be made.

*Section XXXVI—Tickets at Discontinued Rates*

On and after the date upon which any alteration in the rate of fares shall go into effect, the Railway shall have the right to refuse to accept in payment of fare tickets previously purchased at the discontinued rates, providing however the Railway shall upon demand redeem all such tickets at the prices or rates at which they were sold; provided further that any tickets for which a higher rate has been paid than the fare then in force shall at the option of the holder be accepted as fare.

*Section XXXVII—Investments or Advances from Reserves*

The Railway may from time to time, at its discretion, use so much of the Repair, Maintenance and Depreciation Reserve and/or of the Surplus Reserve, as may not immediately be required for its proper purposes, in making advances to the Railway's treasury to provide facilities for serving the public, or invest the same in Dominion or Provincial Government Bonds but in no event shall any such funds so invested or property acquired therewith be included in Property Value. All interest from such investments shall form a part of Gross Receipts.

*Section XXXVIII—Statements to Corporation—Uniform System of Accounts*

The Railway shall, as soon as possible after the end of each fiscal year, supply to the Corporation a statement showing Property Value, all reserves, receipts and expenditures and Operating Expenses for the preceding Calendar year in respect to Local Lines. The Corporation shall have the right to verify all such statements by audit and for that purpose all books of account, invoices, documents, cost sheets, pay sheets and other vouchers and receipts shall be available and open during ordinary business hours to inspection by a competent Accountant to be appointed by the Corporation for a period of thirty days after such statement shall have been furnished to the Corporation.

In order to facilitate such audit the Railway shall keep its books in accordance with the Uniform System of Accounts for Electric Railways prescribed by the Interstate Commerce Commission except as herein otherwise specifically provided.

*Section XXXIX—Part Maintenance of Local and Interurban Lines on Car Mileage Basis*

The Railway shall appropriate out of the Revenues of Interurban Lines and Special Lines and apply towards the cost of maintenance of and cost of the power used on such portion of the Local Lines over which the Interurban or Special Line cars operate a proportion of such cost of maintenance and cost of power equal to the proportion which the car mileage of the Interurban Lines and Special Lines respectively over such portion of the Local Lines bears to the total car mileage of all cars over such portion.

The Railway shall also appropriate, out of the Revenues of the Local Lines and apply towards the cost of maintenance of and of power used on such portion of the Interurban Lines of the Railway over which cars other than Interurban cars operate, a portion of such cost of maintenance and of power used equal to the proportion which the car mileage of such cars other than Interurban cars over such portion of the Interurban Lines bears to the total car mileage of all cars over such portion.

In computing such proportion an electric locomotive shall count as one car and a trailer shall count as one car.

*Section XL—Fares Schedule*

The following Fares Schedule shall apply to the operation of the Local Lines under this Agreement:

Item	Adults		Night Fare 12:30 a.m. to 5:30 a.m.	Children 51 inches in height and under		School Children
	Cash	Tickets	Cash	Cash	Tickets	Tickets
A	5c.	5 for 25c.	10c.	3c.	9 for 25c.	7 for 25c.
B	6c.	9 for 50c.	10c.	3c.	9 for 25c.	7 for 25c.
C	7c.	4 for 25c.	15c.	4c.	7 for 25c.	7 for 25c.
D	8c.	7 for 50c.	15c.	4c.	7 for 25c.	7 for 25c.
E	9c.	6 for 50c.	15c.	5c.	6 for 25c.	6 for 25c.

Nothing herein contained shall prevent the Railway from making special rates for special or chartered cars, or other special or excursion service, which the Railway shall have the right to do.

The rates of fare for children set forth herein shall apply to any child fifty-one inches in height or less. No child other than an infant in arms shall be carried free.

Children under sixteen years of age, being bona fide pupils in regular attendance at some school situate within the "City" or within two miles thereof shall be carried on the Local Lines operated hereunder at the rates of Fare mentioned in the Fares Schedule or "School Children" upon presentation of School Children's tickets to be provided and purchased at the Railway's office by persons exhibiting identification Certificates signed by the Principal or Head Teacher of the School and entitled to such rates.

"School Children's Tickets" shall be accepted for transportation of those entitled between the hours of 8 a.m. and 9.30 a.m., 12 noon and 2.00 p.m., and 3.30 p.m. and 5 p.m.

The Conductor may before accepting a "School Children's Ticket" for transportation require the person presenting the same to produce his or her identification certificate and on failure to produce the same may require such person to pay the fare at the rate then in force for adults.

Each of the foregoing rates of fare, when in force, shall be the rate of fare for a single continuous journey in one direction over any route of the Local Lines.

At all times any passenger demanding a transfer ticket at the time of paying such cash or ticket rate of fare as shall then be in force shall be entitled to transfer without additional charge from any route of the Local Lines on which he shall have paid such fare to any other route of the Local Lines.

Such passenger shall be entitled to such transfer only at the point where the routes meet or intersect, or at any other points fixed by the Railway so as to enable such passenger to go without stop-over from one point direct and by first car passing such transfer point to another point on the Local Lines.

The payment of one fare shall not in any case entitle the passenger to return to the vicinity of his starting point. The intention is that the Railway shall carry the passenger for a continuous journey on its Local Lines so long as such journey is continued in the same general direction:

The transfer issued to the passenger shall designate the point or place of transfer and the transfer must be used at such point only and within the time limited by the transfer.

If the cars of two or more routes are operated regularly along the same street, passengers who are able to reach their destination by one of said routes, without transfer to another of said routes, shall board a car upon the route reaching such destination, and shall not be entitled to transfer thereto from any other route.

Without limitation by the preceding enumeration the Railway may make such reasonable regulations and conditions with respect to transfers and conduct of passengers on cars as may be approved by the Railway Board.

#### *Section XLI—Additions to Fares Schedule*

Whenever, Item "A" of the Fares Schedule being in force, the Gross Receipts shall be more than sufficient to provide for the Operating Expenses, the Return and the Reserves and the Surplus Reserve shall exceed Normal by fifty per cent. (50%) and these conditions shall have existed for a period of not less than six months, the Railway and the Corporation by Agreement, or in default of agreement, the Railway Board shall add to the Fares Schedule an item or items of Fares lower in amount than Item "A" and whenever the Gross Receipts, Item "E" of the Fares Schedule being in force, shall be insufficient to provide for Operating Expenses, the Return, the Reserves and the reduction of Property Value mentioned in Sub-paragraph (b) of Definition 15 of Section I hereof, as provided for in Section XXXI, the Railway Board, upon the application of the Railway, may add to the Fares Schedule an Item or Items of Fares higher in amount than said Item "E." Such additional Items of Fare shall forthwith be added to the Fares Schedule and form part of this Agreement and Section XXXV shall apply thereto.

#### *Section XLII—Policemen and Employees Free*

Policemen in the employment of the Corporation when on duty and in uniform shall be carried by the Railway on its Local Lines without charge and the Railway may carry without charge its officers and employees and others engaged in any work connected with the Railway and those entitled by Statute to free transportation.

#### *Section XLIII—Franchise for Fifteen Years or Until Purchase*

The rights and franchises hereby granted shall as applied to Local Lines continue until such time as the Corporation shall purchase and pay for the Railway's Local Lines Works and such joint Railway Works as are mentioned in Schedule "B."

The Railway grants to the Corporation and the Corporation hereby reserves to itself the right at the expiration of fifteen years from the date hereof and at intervals of five years thereafter, in either case on one Year's previous notice in writing to the Railway, to terminate this franchise, subject however to all the provisions of this Agreement respecting the rights upon and subsequent to such termination.

Upon the termination of this franchise, in manner aforesaid, the Corporation agrees to purchase all and not less than all of the property mentioned in Section XLIV hereof.

In case the Corporation shall so purchase the property mentioned in said Section XLIV hereof, and before the said Corporation shall be entitled to possession of same, it shall pay the Railway the purchase prices of such property plus five per cent. (5%) of such prices; and upon the making of such payment the Railway shall deliver to the Corporation proper conveyances and transfers of all such property free from all encumbrances and make delivery thereof.

The Railway in case of such purchase shall also transfer to the Corporation the several Reserves herein provided for, together with all the then existing property acquired with payments made therefrom or from working capital; and also all working capital, receivables, cash and quick assets other than an amount to be deducted and retained from said Reserves to the extent available, equal to the amount of the then unpaid Return provided for in Sections XXXII and XXXV hereof; provided, however, that any working capital, which shall not have been added to Property Value, shall pass to the Corporation to such extent and to such extent only as the Corporation assumed indebtedness of the Railway not deducted from the purchase price by reason of such assumption.

*Section XLIV—Property to be Taken at Termination and Purchase Prices*

Upon the termination of this franchise the Corporation shall purchase and shall take over all and not less than all of the property mentioned in this Section and pay for the same the purchase prices hereinafter mentioned.

(1) Local Lines Works, included in "Property Value" at the date fixed for the Corporation to enter into possession, the purchase price to be the then Property Value as appears on the books of the Railway.

(2) Property shown in Schedule "A," referred to herein, which represents property necessary to or used in the operation of "Local Lines" hereunder but which is not included in "Property Value," as defined in Definition 15 hereof.

(3) Property, if any, shown in Schedule "B" hereinafter referred to in Section XLVI; the purchase price to be the fair value thereof as a part of the Railway as a going concern, to be agreed upon between the City Engineer and the Railway's representative, nominated in writing for that purpose or, in default of agreement, fixed by the Railway Board.

There shall be deducted from the above purchase prices the following:

- (a) The total of all payments received by or due to the Railway from the sale of any of its assets or property which shall have been sold or otherwise disposed of by the Railway at any time prior to the time upon which the Corporation shall be entitled to enter into possession of the same and for which no corresponding reduction from Property Value or from Schedules "A" or "B" has been made.
- (b) All amounts added to Property Value which the Railway may have expended for the purpose of making Extensions, Betterments or Improvements out of moneys from the Repair, Maintenance and Depreciation Reserve or out of Surplus Reserve.
- (c) The amounts of all liabilities for operating expenses, which liabilities the Corporation shall assume.

*Section XLV—Schedule "A," Preparation and Delivery*

Within one year after the time fixed by Section XIV hereof for the construction and completion of the Local Lines Works, or upon notice being given by the Corporation to terminate this franchise, the Railway shall prepare and deliver to the Corporation a list, referred to as Schedule "A," setting forth items of property, with the values thereof, which said items of property are necessary to or used in connection with "Local Lines" but which are not included in "Property Value."

The values shall be the fair value thereof, as a part of the Railway as a going concern, at the time of the coming into effect of this agreement and having regard to the depreciated condition of the several items and their then useful life.

The provisions of this agreement as to repair, maintenance and depreciation and the Repair, Maintenance and Depreciation Reserve shall be applicable to the items of property in Schedule "A."

*Section XLVI—Schedule "B," Preparation and Delivery*

Within thirty days after notice given by the Corporation to terminate the franchise hereby granted, the Railway shall prepare and deliver to the Corporation a list referred to as Schedule "B," setting forth items of property, if any, with the values thereof, which said items of property come within the definition of Joint Railway Works, and which the Railway claims are proper to be taken over and paid for by the Corporation as necessary or convenient for the operation of the Local Lines and which the Railway does not desire to retain.

In respect to such items of property as the Railway may retain, the Corporation hereby agrees to provide access on an equitable basis for the Railway to such properties for their convenient and proper use by the Railway; and in respect to such items of property from which the Corporation may desire service for the "Local Lines," the Railway hereby agrees to provide such service on an equitable basis to be determined by agreement between the parties hereto or failing which by the Railway Board. It is agreed, however, between the parties hereto that the obligation herein to provide such service shall not require the Railway to provide additional facilities therefor, by capital expenditure.

*Section XLVII—Fixing Purchase Prices, Schedules "A" and "B"*

The Corporation shall within one month after delivery of said Schedule "A" or Schedule "B" or both, notify the Railway whether it agrees to the items and values set forth in the said Schedules or either or both. If the Corporation agrees to same the parties hereto shall sign and seal the same and each shall then be added to and become part of this Agreement. If, however, the Corporation does not agree thereto, it shall, within one month from the receipt of such Schedule "A" or Schedule "B," notify the Railway accordingly, and thereupon the City Engineer and a representative of the Railway, to be nominated in writing for that purpose, shall immediately meet and if possible agree upon the said items and values. In default of agreement the matter shall be determined by the Railway Board. Upon agreement by the City Engineer and the representative of the Railway aforesaid, or upon the determination of the matter by the Railway Board, Schedule "A" or Schedule "B" or both, as the case may be, shall be signed either by the City Engineer and the said representative of the Railway or by the Chairman or Secretary of the Railway Board and shall thereupon be thereby added to and form part of this agreement.

The items and values fixed as in this Section provided shall form Schedules "A" and "B" respectively and the sum of the values of the items in each shall be the purchase price mentioned in Section XLIV, Subsections (2) and (3) respectively.

*Section XLVIII—Indemnity by Corporation on Termination*

The Corporation shall, upon the termination of this franchise, indemnify and save the Railway harmless from all claims, demands and/or obligations whatsoever, with respect to Local Lines Works and the operation of Local Lines.

*Section XLIX—Maintenance Bridges, New Street*

It is agreed between the parties hereto that all cost of maintenance, for which the parties hereto are or may be liable, of the overhead bridges referred to in Section IV hereof, shall during the currency of this Agreement be borne one-half by each of the parties hereto. Thereafter the cost of such maintenance shall be borne in such proportions as may be agreed upon or, failing agreement, in such proportions as may be ordered by the Railway Board.

*Section L—Further Assurance by By-law, etc.*

The Corporation shall from time to time pass such By-laws and resolutions, take such action and do such things as may be reasonably requested by the Railway for the purpose of fully effectuating the objects and intent



of this Agreement, and more particularly such By-laws as the Railway may request and as the Corporation may lawfully pass to enable the Railway to enforce the provisions of Section II and VI hereof.

*Section LI—Parties to Co-operate*

The Railway and the Corporation covenant and agree each with the other:

- (a) To carry out the agreements and provisions herein contained.
- (b) To co-operate by all means in the power of each of them at all times to create the most favourable conditions for the carrying out of the objects of the agreement and all or any By-laws pertaining hereto.
- (c) To co-operate in obtaining the ratification of this agreement forthwith by act of the Legislative Assembly of the Province of Ontario.
- (d) To apply to the said Legislature for such powers as will enable the Corporation to do, perform and carry out each and every the agreements and covenants on its part to be done, performed or carried out.

*Section LII—Notices*

Any notice to be given under any of the provisions hereof may be effectually given to the Corporation by delivery of the same to the Mayor or other Chief Officer or to the City Clerk, or to the Railway by delivering the same to some adult person in the office of the Railway at the City of Niagara Falls. Any such notice may also be effectually given by registered letter prepaid and deposited in one of His Majesty's Post Offices, either in Niagara Falls or Toronto, addressed, if to the Corporation, to "The Mayor of Niagara Falls" at Niagara Falls, Ontario, or if to the Railway, to the "Manager of Canadian National Electric Railways" at Toronto, Ontario. If by registered letter as aforesaid the notice shall be deemed to have been given on the day of the posting thereof.

*Section LIII—Initial Fares, Item "C"*

Upon the coming into effect of this Agreement, Item "C" of the Fares Schedule shall apply and come into force and shall continue to apply and be in force until the inclusion in Property Value of all expenditures for Local Lines Works included in the Initial Scheme and thereafter until, under the provisions hereof, some other Item of the Fares Schedule comes into force, and in any event until the thirty-first day of December, 1925.

*Section LIV—Interpretation by Judge, S.C.O.—Disputes Settled by Railway Board*

In case any disagreement or dispute shall arise as to the construction of this Agreement or any part thereof, as to the legal effect thereof, or any part thereof, or as to any point or points of law arising out of or under this Agreement, such disagreement or dispute shall be heard and determined upon originating notice by a Judge of the Supreme Court of Ontario, and the Rules of the Supreme Court of Ontario in regard to originating notices shall be applicable. The decision of the Judge shall, subject to such appeal as may be provided for by the said Rules or the Judicature Act in the case of matters before the Court on originating Notice, be final and conclusive. In case of any disagreement or dispute other than as above mentioned, the same shall be referred to the Railway Board, whose decision thereon shall be final and conclusive. The Railway Board shall also hear and determine any question of construction, of legal effect or of law incidental to any application before it.

*Section LV—Interurban Running Rights*

The Corporation hereby grants to the Railway and agrees that the Railway shall have for the passenger traffic of its Interurban Lines running



rights, that is the right to operate its cars, or other means of transportation, and the right to the use of all facilities, including power lines and overhead works, on the tracks of the Local Lines or upon the Streets; on Victoria Avenue from Bridge Street to such point on Victoria Avenue, South of McDougall Avenue, as will enable the Railway's cars to reach the Private Right of Way referred to in Section I, Definition 15, Paragraph (c), Sub-paragraph (1) hereof and on such other street or streets as may from time to time be agreed upon by the Corporation and the Railway, or in default of agreement ordered by the Railway Board and upon the tracks of all other Local Lines for excursions or other traffic and for connecting with the Railway of the International Railway Company or other Railway, all upon a car mileage basis both as to maintenance and power as provided by Section XXXIX hereof.

If any dispute shall arise as to the said Running Rights, or the amount to be appropriated or credited to the Local Lines operation upon the said basis, the same shall be heard and determined by the Railway Board.

The Corporation also hereby grants to the Railway the right to maintain its tracks upon and to cross with its cars, or other means of transportation used in its Interurban service, all streets intersected by the Local Lines upon which the Railway has running rights or intersected by the Private Right of Way of the Railway.

After the termination of this franchise by the purchase by the Corporation of the Local Lines Works or otherwise the Railway may continue thereafter to operate its Interurban Cars or service over the established lines upon the car mileage basis mentioned in Section XXXIX hereof; but at the expiration of any five-year period thereafter either the Railway or the Corporation may apply to the Railway Board for a readjustment of the terms upon which the Interurban cars or service may thereafter be operated and thereafter they shall be operated upon such terms as the Railway Board orders.

#### *Section LVI—Abandonment by Railway*

If the Gross Receipts, under the most favourable conditions then existing and provided for in this Agreement, shall be insufficient to provide for Operating Expenses, the Return and the Reserves, for any period in excess of three years, after the 1st day of January, 1925, the Railway shall have the right to abandon this Agreement upon three months' notice to the Corporation. At the expiration of three months after Notice of Abandonment, if the Corporation does not purchase under the provisions hereof in that behalf, this Agreement shall thereupon cease, determine and be utterly void, except that the Railway may at its option continue to use the tracks then in use for Interurban Service upon such terms as the Railway Board may fix and, in case the Corporation does not purchase as aforesaid, may sell or remove any of the Railway works.

The permission of the Corporation to use for Interurban cars any Local Line other than that on Victoria Avenue from Bridge Street to the point south of McDougall Avenue mentioned in Section LV, shall not be construed so as to make such Local Line a line or the tracks thereon tracks "then in use for Interurban service" within the meaning of the above paragraph of this Section.

If not removed within one year after the expiration of the three months after notice of abandonment, all the right, title and interest of the Railway of, in and to the Local Lines Works shall, except as aforesaid, pass to and become the property of the Corporation.

#### *Section LVII—Modern Equipment and Appliances*

The Railway shall adopt and use suitable modern equipment and appliances. The adoption and use of any equipment or appliance approved by the Railway Board shall be taken to be a compliance with the provisions of this Section. In any event the Railway shall use for open track construction rails weighing not less than 85 pounds per yard and for tracks in pavement rails weighing not less than 103 pounds per yard. Rails in pavement shall have properly welded joints.

*Section LVIII—Rails to Conform to Grade*

1. The Rails of the Railway shall conform to the grade of the highway.
2. Where the Rails are laid upon the graded or travelled portion of a highway, or on any part thereof, they shall be laid, as nearly as practicable, flush with the highway and so as to cause the least possible impediment to the ordinary traffic and shall be so kept and maintained by the Railway.

*Section LIX—Busses and Trackless Trolleys*

It is contemplated by this Agreement that busses or trackless trolleys or some other means of transportation may be adopted and used either in substitution for or in addition to the Local Lines herein specifically mentioned or parts thereof and in that event should any question arise as to whether a bus line should be established and operated or other means of transportation should be adopted the matter shall, in default of agreement between the parties in respect thereto, be referred to the Railway Board for hearing and determination and the decision of the Railway Board thereon shall be final.

It is agreed that the Railway shall not be required to establish or operate any Bus Line or other addition to the Local Lines as herein specifically mentioned, unless and until it is made to appear that the operation thereof will yield sufficient additional Revenue to pay the operating expenses thereof, the Return at the Rates in this Agreement hereinbefore mentioned and a proportionate part of the Reserves hereinbefore provided for and shall not be a burden on the rest of the system.

*Section LX—Transportation in Case of Strikes, etc.*

Notwithstanding anything herein contained, should the Railway by reason of strikes, riots, act of God, or the public enemies, or from any other cause, fail to operate any portion of its Local Lines, the Corporation may grant or permit to be granted to some person, partnership, company or corporation the right to operate busses, jitneys, or other vehicles for the transportation of passengers over such portion as long as such failure continues.

*Section LXI—Rate of Interurban Fare to City Limit and Terminal*

The Railway hereby agrees that on its Interurban line it will from time to time establish a rate of fare to and from the City Limit, which shall be less than the rate of fare to and from the new Terminal, which it is contemplated shall be established at or near the Upper Arch Bridge, by the amount of the cash Fare of the item of the Fares Schedule from time to time in force.

Until such time as the Local Line on Stanley Street is in operation to the City Limit at intersection of the Railway's present Interurban right of way with Stanley Street, the City Limit shall be considered to be the corner of Queen Street and Victoria Avenue, and until such time and as a temporary measure, the Interurban cars shall carry local passengers from Stanley Street or Fourth Avenue to the Local Lines and upon payment of fare at the item of the Fares Schedule in force, the passenger shall be entitled to a transfer to any Local Line and there shall be furnished to any passenger paying his fare on a Local Line upon request a transfer which shall entitle such passenger to ride to Stanley Street or Fourth Avenue on the Interurban cars.

In respect of this temporary arrangement the fares and tickets collected on the Interurban cars shall form part of the Gross Receipts of the Interurban Lines and the fares and tickets collected on the Local Lines shall form part of the Gross Receipts of the Local Lines, and the Local Lines shall redeem in cash all Local Line tickets collected on Interurban cars.

*Section LXII—Local Lines in Case Stamford Does Not Agree*

Should the Railway fail to reach an agreement with the Council of the Municipal Corporation of the Township of Stamford, or should the Muni-

cial Electors of said Township refuse to assent to a by-law of such Township authorizing the execution of such Agreement as may be made for the construction, reconstruction and operation of those parts of the Local Lines within said Township, the Local Lines hereunder shall, until the coming into effect of an agreement between the Railway and the Corporation of said Township, be those Local Lines only situate wholly within the City.

*Section LXIII—Subject to Appropriation*

This Agreement is made subject to the appropriation by the Parliament of Canada of the moneys required for the capital expenditures herein agreed to be made by the Railway.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their seals, attested by the proper officers in that behalf.

SIGNED, SEALED AND DELIVERED

in the presence of

CANADIAN NATIONAL  
ELECTRIC RAILWAYS

.....  
*Vice-President*

.....  
*Secretary*

THE CORPORATION OF THE  
CITY OF NIAGARA FALLS

.....  
*Mayor*

.....  
*Clerk*

## CHAPTER 109.

An Act respecting the Town of  
North Bay.*Assented to 17th April, 1924.*

## Preamble.

**W**HEREAS the corporation of the Town of North Bay has by petition represented that the said corporation has incurred a floating debt of sixty-two thousand, five hundred dollars (\$62,500), of which the sum of \$22,307.51 was incurred for permanent water works construction, the sum of \$25,010.23 for permanent public works construction, consisting of:—

\$14,945.02 for storm sewers and street improvements.  
4,508.80 for blasting and crushing rock on Cassells St.  
1,259.32 for septic tank destroyed by spring floods.  
2,314.33 for damages caused to sewers owing to spring floods.  
694.00 for discount on sale of debentures.  
1,288.76 for construction works on Fourth Avenue,

the sum of \$2,511.82 for charity and relief, the sum of \$2,856 judgment against the town by W. B. McLean, the sum of \$1,079.82 for purposes of the Provincial Laboratory at North Bay, the sum of \$3,192 for lands purchased at tax sale within the town, the sum of \$2,500 for payment of chlorination plant ordered by the Provincial Board of Health, and the sum of \$3,042.62 for default bonus debentures and insurance, and whereas the said corporation is desirous of borrowing sixty-two thousand, five hundred dollars (\$62,500) by a special issue of debentures to pay for the cost of said works and claims; and whereas to liquidate the said floating debt forthwith in addition to meeting the current annual expenses would be unduly oppressive on the ratepayers; and whereas the said corporation has by its petition prayed that an Act may be passed for the said purpose; and whereas it is expedient to grant the prayer of the said petition;

· Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Town of North Bay Act*, Short title. 1924.

2. The floating debt of the corporation of the Town of North Bay is consolidated at the sum of sixty-two thousand five hundred dollars (\$62,500) and the said corporation may borrow by a special issue of debentures a sum not exceeding sixty-two thousand five hundred dollars (\$62,500) for the purpose of paying the said floating debt. Floating debts consolidated at \$62,500.

3. The said debentures shall be made payable in not more than fifteen years from the date of issue thereof, and shall bear interest at a rate not exceeding five and one-half per centum (5½%) per annum and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient. Term of debentures and interest.

4. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the period within which the said debt is to be discharged. Equal annual instalments of principal and interest.

5. The said corporation shall levy in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures. Special rate.

6. The debentures and all moneys arising from the sale thereof, shall be applied in payment of the said floating debt and for no other purpose. Application of proceeds of debentures.

7. It shall not be necessary to obtain the assent of the electors of the Town of North Bay to the passing of any by-law, which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Consolidated Municipal Act, 1922*. Assent of electors not required.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof, and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof. Irregularity in form not to invalidate.

Treasurer  
to keep  
proper books  
of account.

**9.** It shall be the duty of the treasurer, for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures, which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be realized from the sales or negotiations of the said debentures, and the application which shall, from time to time, be made of the said amounts, and the said book of account and statement shall be at all times, and at all reasonable hours, open to the inspection of any ratepayer of the said town, and of any of the holders, from time to time, of the debentures, which shall be issued under the powers hereby conferred, or any of such debentures.

Commence-  
ment of Act.

**10.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 110.

An Act respecting the Town of  
Oakville.*Assented to 17th April, 1924*

**W**HEREAS the municipal corporation of the Town of Preamble.  
Oakville has by its petition represented that it is desirable  
that its By-law No. 645 set out in schedule "A" hereto  
as amended by its By-law No. 680 set out in schedule  
"B" hereto and the debentures to be issued and rates to  
be levied thereunder be validated and confirmed; and whereas  
the said corporation has by its petition further represented  
that the said corporation has incurred a floating debt  
amounting to ten thousand dollars (\$10,000) for the purpose  
of acquiring land for parks and waterworks purposes, for  
erecting a permanent fence around Victoria Park, and for  
interest on money borrowed for parks and waterworks  
purposes, which if paid out of current revenue would be  
oppressive to the ratepayers of the said Town of Oakville  
and has prayed that the said total floating debt of ten  
thousand dollars (\$10,000) may be consolidated, and that  
the said corporation may be authorized to borrow by the  
issue of debentures sufficient money to discharge the said  
debt; and whereas it is expedient to grant the prayer of the  
said petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

1. This Act may be cited as *The Town of Oakville Act*, Short title.  
1924.

2. By-law No. 645 of the Corporation of the Town of By-law No.  
Oakville, as set forth in schedule "A" hereto and as amended 645 con-  
by By-law No. 680 of the said corporation, set forth firmed.  
in schedule "B" hereto and all debentures to be issued and  
rates to be levied thereunder are hereby validated and con-  
firmed and declared to be legal, valid and binding upon the  
corporation and the ratepayers thereof.

3. Notwithstanding any of the provisions of *The Consoli-* Time for  
*dated Municipal Act, 1922*, or of any other Act or of the said issue of  
debentures.

By-laws Nos. 645 and 680 the debentures to be issued thereunder may be issued at any time within one year after the date this Act receives the Royal Assent.

Floating  
debt con-  
solidated at  
\$10,000.

4. The floating debt of the corporation of the Town of Oakville is consolidated at the sum of ten thousand dollars (\$10,000) and the said corporation may borrow by a special issue of debentures a sum not exceeding ten thousand dollars (\$10,000) for the purpose of paying the said floating debt.

Term of  
debentures  
and interest.

5. The said debentures shall be made payable in not more than twenty years from the date of issue thereof, and shall bear interest at a rate not exceeding six per centum per annum, and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

Equal  
annual  
instalments  
of principal  
and interest.

6. The said debentures shall be payable in equal annual instalments of principal and interest in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

Special rate.

7. The said corporation shall levy in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application  
of proceeds  
of debentures.

8. The debentures to be issued under the authority of section 4 of this Act and all moneys arising from the sale thereof shall be applied in payment of the said floating debt and for no other purpose.

Assent of  
electors not  
required.

9. It shall not be necessary to obtain the assent of the electors of the Town of Oakville to the passing of any by-law which shall be passed under the authority of section 4 of this Act, or to observe the formalities in relation thereto prescribed by *The Consolidated Municipal Act, 1922*.

Irregularity  
in form not  
to invalidate  
debentures.

10. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be



bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

**11.** It shall be the duty of the treasurer, for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time be realized from the sales or negotiations of the said debentures, and the application which shall, from time to time, be made of the said amounts and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town, and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

Treasurer  
to keep  
proper books  
of account.

**12.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.

## SCHEDULE "A".

### TOWN OF OAKVILLE.

#### By-Law No. 645.

A by-law to provide for borrowing the sum of \$12,000.00 for the Board of Park Management of the Town of Oakville for the purpose of paying for the erection and equipment of a skating and curling rink in Victoria Park in the Town of Oakville.

Whereas the Board of Park Management of the Town of Oakville has applied to the Council of the Corporation of the Town of Oakville for the sum of Twelve Thousand Dollars (\$12,000.00) for the erection and equipment of a skating and curling rink in Victoria Park in the Town of Oakville;

And whereas for the purposes aforesaid it is necessary to borrow the said sum of Twelve Thousand Dollars (\$12,000.00) on the credit of the Corporation and to issue debentures therefor bearing interest at the rate of six per cent. per annum, which is the amount of the debt intended to be created by this by-law;

And whereas it is expedient to make the principal of the said debt repayable in yearly sums during the period of twenty years of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years;

And

And whereas it will be necessary to raise annually the sum of \$1,046.22 during the period of twenty years to pay the said yearly sums of principal and interest as they become due;

And whereas the amount of the whole rateable property of the Municipality according to the last revised assessment roll is \$2,527,094.00.

And whereas the amount of the existing debenture debt of the said Municipality is \$492,707.54 of which no part of the principal or interest is in arrear;

Therefore the Municipal Council of the Corporation of the Town of Oakville enacts as follows:—

1. For the purposes aforesaid there shall be borrowed on the credit of the Corporation at large the said sum of Twelve Thousand Dollars (\$12,000.00) and debentures (called "Park Fund Debentures"), shall be issued therefor in sums of not less than One Hundred Dollars (\$100.00) each, bearing interest at the rate of six per cent. per annum and having coupons attached thereto for the payment of interest.

2. The said debentures shall all bear the same date and shall be issued within two years after the day on which this by-law is passed and may bear any date within such two years and shall be payable in twenty annual instalments during the twenty years next after the time when the same are issued, and the respective amounts of principal and interest payable in each of such years shall be as follows:—

Year	Principal	Interest	Total
1.....	\$326 22	\$720 00	\$1,046 22
2.....	345 80	700 42	1,046 22
3.....	366 54	679 68	1,046 22
4.....	388 52	657 70	1,046 22
5.....	411 84	634 38	1,046 22
6.....	436 55	609 67	1,046 22
7.....	462 74	583 48	1,046 22
8.....	490 50	555 72	1,046 22
9.....	519 94	526 28	1,046 22
10.....	551 14	495 08	1,046 22
11.....	584 20	462 02	1,046 22
12.....	619 25	426 97	1,046 22
13.....	656 40	389 82	1,046 22
14.....	695 79	350 43	1,046 22
15.....	737 54	308 68	1,046 22
16.....	781 79	264 43	1,046 22
17.....	828 70	217 52	1,046 22
18.....	878 42	167 80	1,046 22
19.....	931 12	115 10	1,046 22
20.....	987 00	59 22	1,046 22

3. The said debentures as to both principal and interest may be expressed in Canadian currency or Sterling money of Great Britain at the rate of One Pound Sterling for each Four Dollars and eighty-six and two-thirds cents and may be payable at any place or places in Canada or Great Britain or the United States of America.

4. The Mayor of the Corporation shall sign and issue the debentures and the same shall also be signed by the Treasurer of the Corporation and the debentures shall be sealed with the seal of the Corporation.

5. The coupons attached to the said debentures shall be signed by the Treasurer and the signature of the Treasurer to the said coupons may be written, stamped, lithographed or engraved.

6. During the twenty years of the currency of the said debentures, there shall be raised annually by special rate sufficient therefor over and above all other rates on all the rateable property of the rate-payers of the said Town of Oakville, the sum of \$1,046.22, at the same time and in the same manner as other rates for the purpose of paying the principal and interest accruing due on the said debt in each year of the said period of twenty years.

7. The debentures may contain any provision for the registration of them authorized by law.

8. The proceeds of the sale of the said debentures shall be deposited by the Treasurer of the Municipality to the credit of the Park Fund and shall be paid out by him for the purposes aforesaid on the orders of the Board.

9. This By-law shall take effect on the day of the passing thereof, subject to its being assented to by the electors.

Passed by the Municipal Council of the Town of Oakville this 28th day of November, 1921.

Town of Oakville  
Corporation.  
[SEAL]

A. S. FORSTER, *Mayor*.  
PERCY A. BATH, *Clerk*.

## SCHEDULE "B".

### TOWN OF OAKVILLE

#### BY-LAW No. 680.

A by-law to amend By-law No. 645 by decreasing the rate of interest on the debentures authorized to be issued thereunder;

Whereas the Council of the Corporation of the Town of Oakville on the 28th day of November, 1921, passed its By-law No. 645 authorizing the issue of debentures for the sum of \$12,000.00 for the Board of Park Management of the Town of Oakville for the purpose of paying for the erection and equipment of a skating and curling rink in Victoria Park in the Town of Oakville, which said by-law provides that the said debentures shall bear interest at the rate of six per cent. per annum;

And whereas no debentures have been issued or rates levied under the authority of the said by-law;

And whereas owing to a decline in the rate of interest since the passing of the said by-law the said debentures cannot be sold except at a heavy premium;

And whereas it is expedient to amend the said by-law by changing the rate of interest upon the said debentures to be issued thereunder from "six" to "five and one-half" per cent. per annum;

And whereas it will be necessary to raise annually the sum of \$1,004.15 to pay the yearly sum of principal and interest at the rate of five and one-half per cent. per annum instead of the sum of \$1,046.22 as provided by the said by-law;

Therefore the Municipal Council of the Corporation of the Town of Oakville enacts as follows:—

1. That By-law No. 645 passed by the Municipal Council of the Corporation of the Town of Oakville on the 28th day of November, 1921, be and the same is hereby amended as follows:—

(a) By striking out the words "six per cent." where they appear in the second recital paragraph and in the first enacting paragraph of the said by-law and substituting therefor the words "five and one-half per cent."

(b) By striking out the Dollar sign and figures "\$1,046.22" where they appear in the fourth recital paragraph and in the sixth enacting paragraph of the said by-law and substituting therefor the Dollar sign and figures "\$1,004.15."

(c) By striking out all the words and figures in the second enacting paragraph of the said by-law after the word "follows" in the seventh line thereof and substituting therefor the following schedule:—

Number	Interest	Principal	Total
1.....	660 00	344 15	1,004 15
2.....	641 07	363 08	1,004 15
3.....	621 09	383 06	1,004 15
4.....	600 04	404 11	1,004 15
5.....	577 81	426 34	1,004 15
6.....	554 35	449 80	1,004 15
7.....	529 62	474 53	1,004 15
8.....	503 52	500 63	1,004 15
9.....	475 98	528 17	1,004 15
10.....	446 94	557 21	1,004 15
11.....	416 29	587 86	1,004 15
12.....	383 95	620 20	1,004 15
13.....	349 85	654 30	1,004 15
14.....	313 86	690 29	1,004 15
15.....	275 89	728 26	1,004 15
16.....	235 84	768 31	1,004 15
17.....	193 59	810 56	1,004 15
18.....	149 00	855 15	1,004 15
19.....	101 97	902 18	1,004 15
20.....	52 34	951 81	1,004 15

2. That except as aforesaid the said By-law No. 645 be and the same is hereby confirmed.

3. This by-law shall take effect on, from and after its approval by The Ontario Railway and Municipal Board.

Passed by the Municipal Council of the Corporation of the Town of Oakville at a meeting thereof regularly held this 12th day of February, 1923.

Town of Oakville  
Corporation  
[SEAL]

A. S. FORSTER, *Mayor*.

PERCY A. BATH, *Clerk*.

## CHAPTER 111.

## An Act respecting the Town of Ojibway.

*Assented to 17th April, 1924.*

**W**HEREAS the municipal corporation of the Town Preamble.  
of Ojibway has by its petition represented that it  
was incorporated by an Act passed in the third and fourth  
years of the reign of His Majesty, King George the Fifth,  
chaptered 108, under which Act the first councillors were to  
hold office until the 31st day of December, 1916; and that  
the said Act was amended by an Act passed in the sixth  
year of the reign of His Majesty King George the Fifth,  
chaptered 82, amending the said Act, under which amend-  
ment the first councillors were to hold office until the 31st  
day of December, 1919, and that the said Act was further  
amended by an Act passed in the ninth year of the reign of  
His Majesty King George the Fifth, chaptered 98, further  
amending the said Act, under which amendment the first  
councillors were to hold office until the 31st day of December,  
1924, and that it is desirable in the interests of the said  
corporation that the terms of office of the first councillors  
should be further extended; and whereas the said corporation  
has prayed that an Act may be passed for such purposes;  
and whereas it is expedient to grant the prayer of the said  
petition;

Therefore, His Majesty, by and with the advice and  
consent of the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** This Act may be cited as *The Town of Ojibway* Short title.  
*Act, 1924.*

**2.**—(1) Subsection 3 of section 3 of the Act passed in the third 1913, c. 108,  
and fourth years of the reign of His Majesty, King George V, s. 3 subs. 3  
chapter 108, as amended by 6 George V, chapter 82, section 3, amended.  
and as further amended by 9 George V, chapter 98, section 3,  
is further amended by inserting after the figures "1924", Term of office of  
the figures "1925, 1926, 1927, 1928, and 1929". mayor and councillors extended to 1929.

(2) Subsection 4 of section 3 of the said Act, as amended as aforesaid, is further amended by striking out the figures "1924" and substituting therefor the figures "1929".

Representa-  
tion in  
county  
council.

(3) Section 4 of the said Act, as amended by 6 George V, chapter 82, and further amended by 9 George V, chapter 98, section 3, is further amended by striking out the figures "1924" and substituting therefor the figures "1929".

Power to  
remove  
mayor from  
office.

(4) Section 5 of the said Act, as amended by 6 George V, chapter 82, and further amended by 9 George V, chapter 98, section 3, is amended by striking out the figures "1924" and substituting therefor the figures "1929".

## CHAPTER 112.

## An Act respecting the Town of Orillia.

*Assented to 17th April, 1924*

**W**HEREAS the corporation of the town of Orillia has by <sup>Preamble.</sup> petition represented that certain sewer main extensions and private sewer connections have been constructed in the said town of Orillia during the years 1919, 1920, 1921, 1922, and 1923, pursuant to or intended to be pursuant to the provisions of *The Local Improvement Act*, and that it is desirable <sup>Rev. Stat. c. 193.</sup> to ratify and confirm the by-laws providing for the issue of debentures to borrow the money necessary to pay for such sewer main extensions and private sewer connections and for the special assessment of the properties abutting upon such sewer main extensions and the properties for which such private sewer connections were constructed and to provide for the levy of any balance required to meet such expenses upon the municipality as a whole; and whereas, it is desirable to ratify and confirm a by-law amending By-law No. 698 of the said town of Orillia passed on the 19th day of June, A.D. 1919, for the purpose of correcting a clerical error or omission in said By-law No. 698 and providing for the special assessment of certain properties which should have been specially assessed under the provisions of said By-law No. 698; and whereas, By-law No. 845 of the said town of Orillia passed on the 22nd day of January, A.D. 1924, authorizes an agreement with the Canada Wood Specialty Company, Limited, and the issue of debentures for the purpose of borrowing money to be loaned to the said Canada Wood Specialty Company, Limited, and provides for certain bonuses and privileges for the said company; and whereas, the said by-law and agreement were duly submitted to the electors of the corporation for their assent in accordance with the provisions of *The Consolidated Municipal Act, 1922*, and more than two-thirds of the said electors voted in favour of the said by-law and agreement, and the said by-law was subsequently passed finally by the affirmative vote of all the members of the council of the said town of Orillia, and it is desirable that the said by-law and agreement be validated and confirmed; and whereas, it is expedient to grant the prayer of the said petition:

Therefore,

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The Town of Orillia Act, 1924*.

By-laws  
846 to 848  
Town of  
Orillia  
confirmed.

**2.**—By-laws Nos. 846, 847 and 848 of the corporation of the town of Orillia described in schedule "A" hereto, and all debentures issued or to be issued thereunder, and all assessments made or to be made, and all rates levied or to be levied for the payment thereof, are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof; and it shall not be necessary for the purchasers of such debentures to inquire into the validity of the proceedings relating to or authorizing the issue of the same or see to the application of the proceeds of the sale thereof.

By-law 845  
confirmed.

**3.** By-law No. 845 of the corporation of the town of Orillia set out as schedule "B" hereto and intituled "A By-law to raise by way of debentures the sum of fifty thousand dollars (\$50,000.00) for the purpose of lending the same to the Canada Wood Specialty Company, Limited, and for granting to the said company certain other bonuses or privileges, and to ratify an agreement made with the said company," is hereby ratified and confirmed and declared to be legal, valid and binding on the said corporation and the ratepayers thereof.

Agreement  
with Canada  
Wood  
Specialty  
Company  
confirmed.

**4** The agreement between the corporation of the town of Orillia and the Canada Wood Specialty Company, Limited, set out as schedule "C" hereto, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and upon the Canada Wood Specialty Company, Limited, its successors and assigns.

Commence-  
ment of  
Act.

**5.** This Act shall come into force on the day upon which it receives the Royal Assent.



## SCHEDULE "A".

(a) By-law No. 845 of the Town of Orillia, being a by-law to authorize the issue of debentures for \$50,500 to raise the moneys required to pay for the construction of certain sewer main extensions in the Town of Orillia constructed during the years 1919, 1920, 1921, 1922 and 1923, and to provide for the special assessment of the properties benefiting thereby.

(b) By-law No. 847 of the Town of Orillia, being a by-law to authorize the issue of debentures for \$23,500 to raise the moneys necessary to pay for the construction of certain private sewer connections in the Town of Orillia, and to provide for the special assessment of certain properties benefiting thereby.

(c) By-law No. 848 of the Town of Orillia, being a by-law to amend By-law No. 698 of the said Town of Orillia for the purpose of correcting a clerical error or omission and providing for the special assessment of certain properties for the cost of sewer extensions which were paid for out of the proceeds of the debentures authorized by said By-law No. 698.

## SCHEDULE "B".

## BY-LAW NO. 845 OF THE TOWN OF ORILLIA.

A by-law to raise by way of Debentures the sum of Fifty Thousand Dollars (\$50,000.00) for the purpose of lending the same to The Canada Wood Specialty Company Limited, and for granting to the said Company certain other bonuses or privileges, and to ratify an agreement made with the said Company.

Whereas the Corroation of the Town of Orillia by an Agreement dated the 10th day of December, A.D. 1923, has agreed with The Canada Wood Specialty Company Limited to lend it the sum of Fifty Thousand Dollars (\$50,000.00) upon the terms and conditions mentioned in the said agreement, and to grant it a fixed assessment and certain other bonuses or privileges, as in such agreement provided;

And whereas all other persons, firms or companies carrying on business of a similar nature in the Town of Orillia have consented in writing thereto;

And whereas it is expedient to borrow the sum of Fifty Thousand Dollars (\$50,000.00) upon Debentures on the credit of the Corporation for the purpose of lending the same to the said Company, and that such Debentures shall bear interest at the rate of five and one-half per cent. (5½%) per annum, payable half-yearly, this being the amount of the debt intended to be created by this By-law;

And whereas it is expedient to make the principal of the said Debentures payable in yearly sums during the period of twenty years of such amount respectively that the aggregate amount payable for principal and interest in each year shall be equal as nearly as may be to the amount payable for principal and interest in each of the other years;

And whereas it is necessary to raise the sum of Four Thousand One Hundred and Eighty-three and 96/100 Dollars (\$4,183.96) annually during the said period of twenty years to pay the said yearly sums of principal and interest as they become due;

And whereas the amount of the whole rateable property of the Municipality according to the last revised Assessment Roll is \$4,570,200.00;

And whereas the amount of the existing debenture debt of the Corporation, exclusive of Local Improvement debts secured by special rates or assessments is \$882,526.15; and no part of the principal or interest is in arrear;

And whereas it is desirable to ratify an agreement with the Canada Wood Specialty Company Limited;

And whereas, in accordance with the said agreement, it is expedient to grant a fixed assessment to the said Canada Wood Specialty Company Limited, as hereinafter provided;

Therefore the Municipal Council of the Corporation of the Town of Orillia enacts as follows:—

1. That for the purposes aforesaid, there shall be borrowed on the credit of the Corporation at large the sum of Fifty Thousand Dollars (\$50,000.00), and Debentures shall be issued therefor in sums of not less than One Hundred Dollars (\$100.00) each, bearing interest at the rate of five and one-half per cent. ( $5\frac{1}{2}\%$ ) per annum, payable half-yearly, and having coupons attached thereto for the payment of interest.

2. The Debentures shall all bear the same date, and shall be issued within two years after the date on which this By-law is passed, and may bear any date within such two years, and such Debentures shall be payable in twenty annual instalments during the twenty years next after the time when the same are issued, and the respective amounts of principal and interest payable in each of such years shall be as follows:—

<i>Years</i>	<i>Half-Yearly Interest</i>	<i>Principal</i>	<i>Total</i>
1	\$1,375 00	1,433 96	4,183 96
2	1,375 00	1,512 84	4,183 96
3	1,335 56	1,596 04	4,183 96
4	1,293 96	1,683 82	4,183 96
5	1,250 07	1,776 43	4,183 96
6	1,203 76	1,874 14	4,183 96
7	1,203 77	1,977 21	4,183 96
8	1,154 91	2,085 96	4,183 96
9	1,103 37	2,200 69	4,183 96
10	1,103 38	2,321 73	4,183 96
11	1,049 00	2,449 42	4,183 96
12	1,049 00	2,584 14	4,183 96
13	991 63	2,726 27	4,183 96
14	991 64	2,876 21	4,183 96
15	931 11	3,034 40	4,183 96
16	931 12	3,201 30	4,183 96
17	867 27	3,377 37	4,183 96
18	867 27	3,563 12	4,183 96
19	799 91	3,759 10	4,183 96
20	799 91	3,965 85	4,183 96
	728 84		
	728 85		
	653 87		
	653 88		
	574 78		
	574 78		
	491 33		
	491 33		
	403 29		
	403 30		
	310 42		
	310 42		
	212 43		
	212 43		
	109 05		
	109 06		
	\$33,679 20	\$50,000 00	\$83,679 20

3. The Debentures, as to both principal and interest, shall be expressed in Canadian currency, and may be payable at the Royal Bank of Canada at Orillia, and at any other place or places in Canada.

4. The Mayor of the Corporation shall sign and issue the Debentures, and the same shall also be signed by the Treasurer of the Corporation, and such Debentures shall be sealed with the seal of the Corporation, and the interest coupons shall be signed by the Treasurer of the Corporation.

5. During twenty years, the currency of the Debentures, the sum of Four Thousand One Hundred and Eighty-three and 96/100 Dollars (\$4,183.96) shall be raised annually for the payment of the debt and interest by a special rate, sufficient therefor, over and above all other rates on the rateable property in the Municipality, at the same time and in the same manner as other rates, provided, however, that the amount to be levied and raised in any year or years may be such lesser sum than the said amount of Four Thousand One Hundred and Eighty-three and 96/100 Dollars (\$4,183.96) as may be sufficient to meet the payments due or accruing due upon the said Debentures, after applying towards payment of the same, such monies as may have been received by the Corporation from the Canada Wood Specialty Company Limited in repayment of the loan to be made the said Company, and interest thereon, under and pursuant to the said agreement between the Company and the Corporation, herein referred to.

6. All monies received by the Corporation from time to time on account of the said loan shall be deposited in a special account in the Royal Bank of Canada, or such other Chartered Bank as may from time to time be designated by the Council of the Corporation, and such money, or sufficient part of it, shall be from time to time applied in payment of the amount falling due in each year for principal and interest on account of the said Debentures, so to be issued to borrow the money required for the purpose of making the said loan to the said Company.

7. The Debentures so to be issued may contain any clause providing for registration thereof authorized by any Statute, relating to Municipal Debentures, in force at the time of the issue thereof.

8. It shall be lawful for the said Corporation of the Town of Orillia to loan the sum of Fifty Thousand Dollars (\$50,000.00), or the proceeds derived from the sale of the said Debentures to be issued under this By-law, to the Canada Wood Specialty Company Limited for the purposes set out in the said agreement.

9. That the said agreement dated the 10th day of December, A.D. 1923, and made between the Corporation of the Town of Orillia and the Canada Wood Specialty Company Limited, is hereby ratified and confirmed, and declared to be binding upon the Corporation of the Town of Orillia.

10. The Mayor and Clerk are hereby authorized to execute, on behalf of the Corporation, any necessary agreement to ratify and confirm the said agreement of the 10th day of December, A.D. 1923, should such ratifying agreement be deemed necessary.

11. When and so long as the lands, more particularly described in the said agreement of the 10th day of December, A.D. 1923, are used and occupied by the said Canada Wood Specialty Company Limited for the purposes of its said manufacturing business, the assessment upon the said lands, including all buildings, improvements, plant, machinery, fixtures, or other assessable real or personal property connected therewith, owned and used by the said Company in the operation of its said business, whether now upon the said lands, or hereafter brought, constructed or placed there, shall for a period of ten years from the coming into effect of this By-law, be exempt from all general rates of Municipal taxation, except school rates, upon so much of the annual assessment as may be in excess of Ten Thousand Dollars (\$10,000.00), and this assessment shall

be the total assessment of the said Company in respect of its said lands and business, inclusive of any business assessment, or assessment in respect of personal property used in the said business, but this fixed assessment shall not apply to or affect taxes for school purposes or local improvement rates.

This By-law shall come into force and effect immediately after the final passing thereof.

Dated this 22nd day of January, A.D. 1924.

(Sgd.) GEO. A. McLEAN,  
*Mayor.*

(Sgd.) C. E. GRANT,  
*Clerk.*

Corporate  
Seal

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### SCHEDULE "C".

Memorandum of Agreement made (in duplicate) this  
10th day of December, A.D. 1923.

Between:

THE CORPORATION OF THE TOWN OF ORILLIA,  
hereinafter called the "Corporation,"

of the first part:

—and—

CANADA WOOD SPECIALTY COMPANY, LIMITED,  
hereinafter called the "Company,"

of the second part:

Whereas the said Company has for many years carried on the business of manufacturing and dealing in flooring, wooden handles of all kinds, wood specialties and other wooden products, including all general wood working and milling;

And whereas it is desirable that the buildings and plant of the said Company shall be extended, improved, remodelled, modernized, and in part rebuilt, and negotiations have been entered into by the said Company and the Corporation with a view to enabling the Company to do so, for the purpose of continuing and enlarging the operations of the said Company in the said Town of Orillia;

And whereas, with such object in view, the said Corporation has agreed to advance to the said Company by way of loan the sum of Fifty Thousand Dollars (\$50,000.00) upon the terms and conditions, and repayable, as hereinafter provided, and has also agreed to grant certain other privileges;

And whereas the said loan and the said other privileges are contingent upon the assent of the ratepayers of the said Town of Orillia being duly obtained in accordance with the provisions of the Municipal Act;

And whereas all other persons, firms or companies carrying on business of a similar nature to that of the said Company, and established in the Town of Orillia, have duly consented to the granting of the said loan and other privileges in accordance with the terms of this agreement, and to the passing of necessary By-laws of the Town of Orillia for the purpose of carrying such agreement into effect;

Now,

Now therefore this Agreement witnesseth that in consideration of the premises and the mutual covenants, conditions and provisions herein contained, the said parties hereto do hereby, mutually each for itself and its respective successors and assigns, agree to and with the other, its successors and assigns, as follows:

The said Company covenants and agrees to and with the said Corporation,—

1. That it will, as soon as weather conditions permit in the spring of 1924, commence the erection of a new factory building for the carrying on of the business of the said Company, as above recited, on the lands at present owned by the said Company on the east side of Front Street and the north side of Coldwater Street in the said Town of Orillia, which said lands may be more particularly described as follows: All and Singular that certain parcel or tract of land and premises situate, lying and being in the Town of Orillia in the County of Simcoe, and being composed of Firstly,—Lots Numbers Seven, Eight, Nine, Ten and Eleven on the east side of Gerald Alley or Front Street in the said Town of Orillia, according to Registered Plan Number Eight,—and Secondly,—All the right, title and interest of the said Company in and to that parcel of land bounded on the south by the northern limit of Coldwater Street, on the west by the eastern limit of Lots Numbers Seven, Eight, Nine, Ten, Eleven and Twelve, on the east side of Front Street, on the north by the southern limit of Neywash Street, produced, and on the east by the westerly boundary of the Grand Trunk Railway Company's right-of-way, which is also the following line, that is to say,—Commencing at a point in the northern limit of Coldwater Street, produced, which point is distant three hundred and two feet easterly from the intersection of the northern limit of Coldwater Street with the eastern limit of Front Street, as shown on Registered Plan Number Eight, thence northerly in a straight line to a point in the southern limit of Neywash Street produced, which point is distant three hundred and twenty-five feet easterly from the intersection of the southern limit of Neywash Street with the eastern limit of Front Street aforesaid, and will complete the said factory and equip the same with suitable modern plant and machinery, and commence operations therein, not later than the 1st day of October, A.D. 1924.

2. That the said factory building, plant and machinery shall, when completed, have an appraised value of, at least, One Hundred Thousand Dollars (\$100,000.00).

3. That operations shall be commenced with a minimum of fifty employees, and the said factory shall have an ultimate capacity of one hundred and fifty employees.

4. That the Company will operate the said factory as a going concern with an average of, at least, fifty employees, for not less than twenty years from the date hereof, or until the repayment in full of the loan to be made the Company by the Corporation, as hereinafter provided.

5. That the amount expended by the Company in wages shall be not less than Forty Thousand Dollars (\$40,000.00) in any year from and after the year 1924, until the said loan is fully repaid to the Corporation, and the amount expended in wages during each consecutive period of three years from and after the year, 1924, shall average not less than Fifty Thousand Dollars (\$50,000.00) per year.

6. That the Company will repay to the said Corporation the proposed loan of Fifty Thousand Dollars (\$50,000.00) with interest at the rate of five and one-half per cent. (5½%) per annum in twenty equal, consecutive, annual instalments of Four Thousand One Hundred and Eighty-three and 96/100 Dollars (\$4,183.96), which annual amount has been calculated to repay principal as well as interest, the first of such annual instalments of principal to be due and payable on the due date of the first instalment falling due upon the Debentures to be issued by the Corporation, and interest shall be payable half-yearly on the same date as the interest payments fall due and payable by the Corporation on the said Debentures to be issued, provided that a rebate or allowance shall be made at the end

of the first year equal to the interest earned by the Corporation upon the portion or portions of the said loan or the proceeds of the Debentures thereof retained in the hands of the Corporation from time to time.

7. That the Company will as security for the said loan and interest execute and deliver to the Corporation a first mortgage upon the proposed new factory and the land upon which the said factory is to be erected or used therewith, and the fixed plant and machinery used or to be used therein, and the Company's rights or interest in the Railway Sidings giving access to the said factory, the land covered by the said mortgage being the land above particularly described, and such mortgage shall provide for sufficient Insurance to protect the Corporation, with loss payable to the Corporation as its interest may appear, and shall be in such form and contain such covenants and provisions as may be reasonably required by the Corporation's solicitor.

8. That as soon as possible after the completion of the new factory, the Company will procure from some thoroughly competent and responsible firm or Company of appraisers, to be approved by the Council of the said Corporation, an accurate appraisal of the said new factory, plant and machinery, including the Railway Sidings upon the said factory site, and the Company guarantees that the said appraisal shall show total valuation of, at least, One Hundred Thousand Dollars (\$100,000.00), as security for the said loan, and in the event of the said appraisal not showing a valuation of One Hundred Thousand Dollars (\$100,000.00) the Company will forthwith repay to the Corporation a sufficient part of any monies advanced to reduce the amount of principal money owing by the Company to the Corporation to, at least, fifty per cent. (50%) of the valuation as shown by the said appraisal.

9. It is understood and agreed that the new factory building shall be built back from the street line of the easterly side of Front Street, at least, six feet.

10. It is further acknowledged, agreed and understood that the Company does not claim and will not claim any rights or title to the lands comprised or included in the extension or production easterly of Neywash and Coldwater Streets, and that it will not pile lumber or other of its materials or products on the said streets, or the lands comprised in the productions of the said Streets in an easterly direction, and will not otherwise use the said Streets or their production except as a public highway in common with the rest of the public.

11. The Company shall bear all costs and expenses incurred by the Corporation in the advertising and submission to the ratepayers of this agreement and the necessary By-law authorizing the agreement and the other privileges or benefits to be conferred upon the Company under the terms of this agreement, whether the same be approved by the ratepayers or not, and will also bear all other costs, charges and expenses incurred by the Corporation in connection with either this agreement or the necessary By-laws, and for the printing and lithographing of the Debentures to be issued thereunder.

And the said Corporation covenants and agrees to and with the Company,—

1. That the Corporation will advance to the Company, by way of loan, the sum of Fifty Thousand Dollars (\$50,000.00) to be secured and be repaid as above provided.

2. That advances shall be made by the Corporation upon account of the said loan to assist the Company in the erection of the said factory and the purchase of the necessary plant and machinery, until the whole thereof is advanced, such advances to be made every two weeks, to the amount of Seventy-five per cent. (75%) of the value of the new buildings, materials therefor, and new plant and machinery, which shall have been brought upon the lands and premises covered by the mortgage to the Corporation for the construction and completion of the said new factory, plant and machinery, and such advances shall be made in accordance

with Progress Certificates or valuations to be furnished from time to time to the Council of the Corporation by such competent Valuator as may be satisfactory to the Company and the Mayor or any member of the Council of the Corporation appointed by the Mayor, and the expense of such valuation or valuations shall be borne by the Company.

3. That the lands and premises of the said proposed new factory, including all buildings, improvements, plant, machinery, fixtures or other assessable real or personal property connected therewith, owned and used by the said Company in the operation of its said business, whether now upon the said lands or hereafter brought, constructed or placed thereon, if and so long as the same may be used for the purposes of the said business, namely,—the lands and premises above particularly described, shall, for a period of ten years from the taking effect of the By-law granting or approving the privileges to be given the said Company under this agreement, be exempt from all general rates of Municipal taxation, except school rates, upon as much of the annual assessment as may be in excess of Ten Thousand Dollars (\$10,000.00), and this assessment shall be the total assessment of the said Company in respect of its said lands and business, inclusive of any business assessment, or assessment in respect of personal property used in the said business, but this fixed assessment shall not apply to or affect taxes for school purposes or local improvement rates.

Notwithstanding anything herein contained, it is understood that the said Corporation is to issue Debentures for the purpose of raising the said sum of Fifty Thousand Dollars (\$50,000.00) repayable with interest at the rate of Five and one-half per cent. (5½%) per annum, in twenty equal annual instalments, covering both principal and interest, but with interest payable half-yearly, and the said Company is to bear the costs of marketing the said Debentures, and to accept the net proceeds derived from the sale of the said Debentures, as in full of the said loan, whether such Debentures sell for more or less than par.

And the Corporation hereby agrees to submit this agreement, and the necessary By-law sanctioning the same, and providing for the issue of Debentures in accordance with this agreement, to the ratepayers of the Town of Orillia in accordance with the provisions of the Municipal Act.

And this agreement shall be binding upon the parties hereto only if and when this agreement and the said By-law has received the necessary approval of the ratepayers of the said Town of Orillia in accordance with the provisions of the said Municipal Act, except as to Clause Number Eleven of the obligations of the said Company, which shall be binding upon the said Company in any event, and except also the last preceding paragraph as to the submission to the ratepayers.

In witness whereof the said parties hereto have hereunto affixed their Corporate Seals, attested by the hands of their proper officers.

SIGNED, SEALED AND DELIVERED

in the presence of:



## CHAPTER 113.

## An Act respecting the City of Oshawa

*Assented to 17th April, 1924.*

## Preamble.

**W**HEREAS the municipal corporation of the city of Oshawa has by its petition represented that a concrete pavement heretofore constructed on Simcoe Street North in the said city and extending from Alexandra Street to the northerly limits of the city has become worn out and is in a dangerous state of repair; that it has been found necessary to replace the said pavement by a new pavement; that debentures issued under the provisions of *The Local Improvement Act* for the original pavement have still twelve years to run; that it is desirable that the new pavement be constructed as a local improvement and that the balance of the payments on the debentures issued in respect of the old pavement be paid by a general rate on the whole rateable property of the corporation; that by-law No. 1681 of the said corporation has been passed authorizing the construction of the said pavement under the provisions of *The Local Improvement Act*; and whereas the said corporation has prayed that an Act be passed validating and confirming the said by-law and the debentures to be issued in pursuance thereof and empowering the corporation to pay the balance of the instalments of principal and interest on the debentures issued in respect of the first pavement by a general rate on the whole rateable property of the corporation; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

## Short title.

1. This Act may be cited as *The City of Oshawa Act, 1924.*

By-law  
1681  
confirmed.

2. By-law No. 1681 of the city of Oshawa passed the 15th day of December, 1923, and set forth in schedule "A" hereto is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.



3. All debentures to be issued in pursuance of said by-law are hereby declared to be valid and binding upon the said corporation notwithstanding the fact that debentures previously issued for a pavement on the same portion of the same street have still twelve years to run.

4. The city of Oshawa is hereby authorized and empowered to levy on the whole rateable property of the corporation each year a rate sufficient to meet the payments of principal and interest still to become due on the debentures issued for the first pavement until the said debentures are fully paid.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

#### SCHEDULE "A".

By-law No. 1681 of the corporation of the town of Oshawa to authorize the construction of a pavement on Simcoe Street from Alexandra Street to the northerly limit of the town.

Whereas, in the year 1914, the town of Oshawa laid down, under the provisions of *The Local Improvement Act*, a concrete pavement, sixteen feet wide, on Simcoe Street North, extending 3,300 feet from Alexandra Street to the northerly limit of the town.

And whereas this pavement is worn out, and in such a bad condition that it is impossible to repair the same, and it is dangerous to the public using it, and in consequence it is imperative for the town to lay down a new pavement on said street.

And whereas the Oshawa railway operates its tracks on several of the streets in the town of Oshawa, including a portion of Simcoe Street, and it has been decided by the said railway and the said corporation that it would be a most convenient and expedient time to extend the said railway northerly on Simcoe Street when the old concrete pavement is torn up and when the new pavement is being laid down.

And whereas the town engineer has reported that the best course to adopt in the interest of the property owners abutting on said road, and of the town generally, is to remove the old pavement entirely as it is of no use for the laying of a new surface thereon, and put in an asphalt pavement on said portion of Simcoe Street with a width of thirty-four feet.

And whereas the said concrete pavement was constructed under *The Local Improvement Act*, and debentures were issued for the payment of the cost thereof and payable on the instalment plan, and have still twelve years to run.

And whereas the council of the corporation of the county of Ontario has agreed to contribute the sum of seven thousand nine hundred and sixty-seven 19/100 dollars towards the cost of the construction of a permanent roadway on the said street, which sum would be about sufficient to pay for laying the concrete base on that part of said street formerly covered by the old pavement.

And whereas the council of the corporation of the town of Oshawa is of the opinion that it would be fair and equitable to the owners of property abutting on said portion of Simcoe Street, and to the general ratepayers of the town, that the corporation should pay the remaining instalments

to become due for payment of the debentures issued for the cost of the old pavement, and that the new pavement should be paid for as a local improvement by the properties abutting on the same, as the former concrete pavement was laid down at a cost to property owners of only fifty-two cents per square yard, amounting to less than five cents per foot frontage per year.

And whereas the railway company have agreed to pay \$3.55 per lineal foot towards the cost of paving the strip eight feet wide occupied by their tracks.

And whereas a large number of the owners of property abutting on said street have petitioned for the extension of the railway as aforesaid and also for the new pavement on the terms and conditions herein proposed.

Now therefore the corporation of the town of Oshawa, by its council, enacts as follows:—

1. That an asphalt pavement, thirty-four feet wide, be constructed on Simcoe Street from the southerly limit of Alexandra Street to the northerly limit of the town as a local improvement and to be paid for as provided by by-laws of the said corporation regarding the pavement of streets under the provisions of *The Local Improvement Act*, namely, one hundred per cent. by the property owners, less allowances for corner lots and street intersections.
2. That the engineer of the corporation shall forthwith make such plans, drawings and specifications and furnish such information as may be necessary for the making of a contract for the execution of the work.
3. That the work shall be carried on and executed under the superintendence and according to the directions and orders of the engineer.
4. That the mayor and clerk are authorized to cause a contract for the construction of the work to be made and entered into with some person or persons, firm or corporation, subject to the approval of this council to be declared by resolution.
5. The treasurer may (subject to the approval of the council) agree with any bank or person for temporary advances of money to meet the cost of the work pending the completion thereof.
6. The special assessment shall be paid by twenty annual instalments.
7. The debentures to be issued for the loan to be effected to pay for the cost of the work when completed shall bear the then current rate of interest, and be made payable within twenty years on the instalment plan.
8. Any person whose lot is specially assessed may commute for a payment in cash the special rates imposed thereon, by paying the portion of the cost of construction assessed upon such lot, without the interest, forthwith after the special assessment roll has been certified by the clerk, and at any time thereafter by the payment of such sum as when invested at four per cent. per annum will provide an annuity sufficient to pay the special rates for the unexpired portion of the term as they fall due.
9. An application shall be made to the Legislature of the province of Ontario for a special Act validating this by-law and all work and acts done by the council in pursuance thereof and in accordance therewith, and also the debentures to be issued for the payment of the work herein mentioned.

By-law read three times and passed by a two-thirds vote of the council, December 15th, 1923.

W. J. TRICK,  
Mayor.

F. E. HARE,  
Clerk.

## CHAPTER 114.

## An Act respecting the City of Ottawa.

*Assented to 17th April, 1924.*

**W**HEREAS the corporation of the city of Ottawa has Preamble.  
presented a petition praying that it should be enacted  
as hereinafter set forth; and whereas it is expedient to grant  
the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The City of Ottawa Act, 1924.* Short title.

2. The council of the said corporation may provide by by-laws for borrowing, and may borrow, upon debentures of the corporation, payable within thirty (30) years from their date of issue, for purposes connected with the water works of the corporation, sums of money not exceeding the following:—

(a) \$70,000, to provide for the cost of constructing and extending watermains and water services;

(b) \$15,000, to provide for the cost of erecting a water chlorinating building at Lemieux Island.

3. For the payment of the debt and interest represented by the debentures to be issued under the authority of section 2 of this Act, there shall be annually raised by the corporation during the currency of the said debentures, with the authority conferred upon the corporation, in and by the Act passed in the thirty-fifth year of the reign of Her late Majesty, Queen Victoria, chaptered 80, and intituled, *An Act for the Construction of Waterworks for the City of Ottawa*, from the water rates, a sum sufficient to discharge the said debt and interest when and as the same shall respectively become due, such sum to be in addition to the money required to be raised to meet the charges of maintenance and the cost of renewals in connection with the said waterworks, and for the payment of the principal and interest of all debts heretofore authorized to be con-

Debt and interest to be met out of water rates

tracted

tracted for the purposes of the said waterworks, but if at any time, the moneys accruing from the said water rates shall prove insufficient for the purposes aforesaid, then, when and so often as the said deficiency shall occur, there shall be raised, levied and collected, by the said corporation, by a special rate upon the assessable property of the said corporation, according to the then last revised assessment roll thereof, a sum sufficient to make good such deficiency.

Power to  
borrow  
\$25,000 for  
completion  
of new  
bridge

4. The council of the said corporation may provide by by-law for borrowing, and may borrow, upon debentures of the corporation payable within thirty (30) years from their date of issue, a sum of money not exceeding \$25,000 (in addition to all sums previously authorized for such purpose) to provide for the corporation's share of the cost of completing the new bridge across the Rideau River at the easterly end of Rideau Street.

Power to  
borrow  
\$30,000 for  
roadways  
and side-  
walks.

5.—(1) The council of the said corporation may provide by by-law for borrowing, and may borrow, upon debentures of the corporation, payable within fifteen (15) years from their date of issue, a sum or sums of money not exceeding \$30,000 for any or all of the following purposes, namely, to widen, pave and repave the roadways on: Laurier Avenue between Nicholas and Elgin Streets, Pretoria Avenue, Main Street, Bronson Avenue and Muriel Street, for breaking up and relaying sidewalks and for re-locating catch basins and other works on such streets, for extending Muriel Street from Centre Street to Finlay Street, and for acquiring the land necessary for such purpose, all of which works are designed to provide roadways of sufficient breadth for public traffic and for the operation of the cars of the Ottawa Electric Railway Company thereon.

Cost of work.

Rev. Stat.,  
c. 193.

(2) The council of the said corporation may provide by by-law, to be passed under the provisions of *The Local Improvement Act*, for assessing and may assess, against lands subject to assessment under the said Act, such part of the cost of any one or more of the works specified in subsection 1, of this section, not exceeding in any case one-half of the total cost of such work, as the said council shall by resolution determine.

Power to  
borrow  
\$750,000 for  
Ottawa Civic  
Hospital.

6. The council of the said corporation may provide by by-law for borrowing, and may borrow, upon debentures of the corporation, payable within fifteen (15) years from their date of issue, a sum or sums of money not exceeding \$750,000, for the purpose of building roads, and grading and laying out the grounds of, and purchasing and installing equipment and furnishings in, the Ottawa Civic Hospital.

**7.** The council of the said corporation may provide by by-law for borrowing, and may borrow, upon debentures of the corporation, payable within twenty years from their date of issue, sums of money not exceeding the following for the specified purposes:—

- (a) \$6,000, for the erection and equipment of an addition to the civic laboratory building on Slater Street;
- (b) \$30,000, to provide for alterations and improvements to the Police Court building and No. 8 Fire Station, and for the construction of a building to be used as a garage for the Police Department and for other purposes of the corporation;
- (c) \$8,000, for purchasing land to extend the site of the Isolation Hospital.

**8.** The council of the said corporation may provide by by-law for borrowing, and may borrow, upon debentures of the corporation, payable within five (5) years from their date of issue, a sum of money not exceeding \$15,000, for the purpose of paying the corporation's share of the cost of re-flooring the Wellington Street Viaduct.

**9.—**(1) It shall not be necessary for the corporation of the city of Ottawa to obtain the assent of the electors of the said city qualified to vote on money by-laws to the passing of any of the debenture by-laws which may be passed under the provisions of sections 2, 4, 5, 6, 7, 8, or 14 (2) of this Act, or to observe in respect thereto the formalities prescribed by *The Consolidated Municipal Act, 1922*, in relation to the passing of money by-laws.

(2) All such debentures shall bear interest at such rate or rates as the council of the said corporation shall determine and the principal and interest thereof may be made payable in any manner authorized by *The Consolidated Municipal Act, 1922*.

**10.** No irregularity in the form of any of the debentures issued under the authority of this Act, or in any by-law authorizing the issue thereof, shall render the same invalid, or be allowed as a defence to any action against the corporation of the city of Ottawa for the recovery of the amount thereof, or any part thereof, or interest thereon.

**11.—**(1) The council of the said corporation, instead of borrowing by separate debenture by-laws the sums authorized

to be borrowed by sections 2, 4, 5 (1), 7, and 14 (2) of this Act, may consolidate any two or more of such borrowings of like maturity and may issue one series of debentures therefor; provided that no borrowing for any purpose of the waterworks of the corporation shall be consolidated with a borrowing for any other purpose of the corporation.

Recitals,

(2) Every such consolidating by-law shall show by recitals or otherwise, the separate sums which make up the total borrowing which it authorizes, and the purposes for which such sums are to be expended.

Exemption  
of Ottawa  
Boys' Club  
from  
taxation.

**12.** The council of the said corporation may, by by-law, which shall not require for its validity the assent of the electors, exempt from all municipal taxes and rates, other than school and collegiate institute, water and local improvement rates, the Ottawa Boys' Club, and all such lands and buildings, or parts of buildings, as may from time to time belong to, or be leased by, the said club, so long as such lands and buildings are actually used and occupied by such club, but not if otherwise occupied, and may, from time to time, amend, repeal and re-enact such by-law.

Transfer of  
borrowings  
for Isolation  
Hospital.

**13.** The council of the said corporation may transfer the whole or any part of the balances at the credit of by-laws Nos. 4547, 4753, and 4927, authorizing certain borrowings for the purposes of the Isolation Hospital, to the credit of by-laws Nos. 4202 and 5085 authorizing certain other borrowings in connection therewith.

Authority  
to sell houses  
erected by  
Housing  
Commis-  
sion below  
cost.

**14.**—(1) The Director of the Bureau of Municipal Affairs may, from time to time, authorize the said corporation to sell any or all of the houses erected by the Housing Commission of the city of Ottawa prior to the 31st December, 1923, by public or private tender, or by public auction for such prices, which may in any case be less than the actual cost thereof, and upon such conditions and terms of payment, as may be approved of by him.

Authority to  
borrow de-  
ficit on de-  
bentures.

(2) The council of the said corporation may provide by by-laws for borrowing, and may borrow, upon debentures of the corporation, payable within five years from their date of issue, such sum or sums of money as the said Director shall approve and as may be necessary to produce an amount equal to the difference between the purchase price of such houses and the actual cost thereof, which amount shall be applied in the same manner as payments made under section 11 of *The Municipal Housing Act, 1920*, are applied.

1920, c. 84

**15.** Notwithstanding anything to the contrary contained in *The Consolidated Municipal Act, 1922*, the council of the said corporation may provide by by-law that at all municipal elections hereafter held in the said city, the polls shall be closed at six o'clock in the afternoon.

Closing of  
poll at muni-  
cipal elec-  
tions, 1922,  
c. 72.

**16.** Subsection 2 of section 11 of *The City of Ottawa Act, 1922*, is amended by inserting next after the word "numbers" in the last line thereof, the figures "2657."

1922, c. 123.  
s. 11, subs. 2.  
amended.

**17.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

## CHAPTER 115.

## An Act respecting the Town of Pembroke.

*Assented to 17th April, 1924.*

## Preamble.

**W**HEREAS the corporation of the town of Pembroke has by petition represented that the Dominion government requires in the construction of a new wharf at the said town of Pembroke, a portion of a water lot in which the said corporation had certain interests and had leased a portion of said water lot which the said government requires for its works to a number of persons who had erected boat houses thereon, and that the said corporation, in consideration of the said government doing certain works in connection with the construction of its said wharf, has agreed with the said government to provide for and remove the said boat houses to a site agreeable to the said boat house owners, said site having been agreed upon and the said corporation having called for tenders for the removal of said boat houses and having entered into a contract for the removal thereof at the price or sum of \$9,972.84; and whereas the said corporation has prayed that it may be authorized to borrow money by the issue of debentures payable in annual instalments, to pay the said costs of moving said boat houses; and whereas the amount of the existing debenture debt of the said town of Pembroke (exclusive of local improvement debts secured by special rates or assessments, and of public school debentures of \$391,604.63, and also exclusive of a debenture debt of \$61,895.52 incurred in connection with loans to certain industries in the said town of Pembroke) is \$454,083.20, less the sum of \$89,809.84 standing to the credit of the sinking fund of said corporation, and no part of the principal or interest is in arrear; and whereas the amount of the whole rateable property of the said town of Pembroke according to the last revised assessment roll is \$5,709,548; and whereas it is expedient to grant the prayer of said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—



1. The council of the corporation of the town of Pembroke may provide by by-law for borrowing, and may borrow upon debentures of the corporation, a sum not exceeding ten thousand dollars (\$10,000) payable in ten years from their date of issue, for the purpose of defraying the cost of the removal of the boat houses situate on part of water lot in front of Block D in the Moffat section of the town of Pembroke.

Power to  
borrow on  
debentures.

2. It shall not be necessary for the corporation of the town of Pembroke to obtain the assent of the electors of the said town, qualified to vote on money by-laws, to the passing of the debenture by-law under the provisions of the preceding section, or to observe in respect thereto the formalities prescribed by *The Consolidated Municipal Act, 1922*, in relation to passing of money by-laws.

Assent  
of electors  
not required.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.

## CHAPTER 116.

An Act respecting the Village of  
Point Edward.*Assented to 17th April, 1924.*

Preamble.

**W**HEREAS, the municipal corporation of the Village of Point Edward (hereinafter called the Corporation) has, by its petition represented, that all sales of land within the Village of Point Edward made prior to the 31st day of December, 1921, which purport to have been made by the said corporation for arrears of taxes in respect to lands so sold for which tax deeds have been issued be validated and confirmed; and whereas, it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Village of Point Edward Act, 1924.*

Tax sales  
and deeds  
confirmed.

**2.**—(1) All sales of land within the Village of Point Edward made prior to the 31st day of December, 1921, which purport to have been made for arrears of taxes in respect to lands so sold for which tax deeds have been issued are hereby validated and confirmed and all deeds of land so sold executed by the warden and treasurer of the County of Lambton on behalf of the said corporation, purporting to convey the said land so sold to the purchaser thereof, or his, her or their assigns are hereby validated and confirmed and shall have the effect of vesting the lands so sold or conveyed or purporting to be so sold or conveyed and the same are hereby vested in the purchaser or his or her or their heirs and assigns in fee simple, free and clear of and from all title or interest whatsoever of the owner or owners thereof at the time of such sale or his or her or their assigns and all charges or encumbrances thereon except taxes accrued since those for which payment whereof the said lands were sold.

(2) Subsection 1 of this section shall extend and apply to cases where the said corporation or any person or persons in trust for it or on its behalf became the purchaser of lands at any such tax sale.

(3) Nothing in this section contained shall affect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 117.

An Act to confirm By-law 658 of the Village  
of Point Edward.

*Assented to 17th April, 1924.*

Preamble.

**W**HEREAS the Holmes Foundry Co., Limited, has by petition represented that the Village of Point Edward did on the —— day of November, 1917, pass a by-law for the purpose of granting to the Holmes Foundry Co., Limited, by way of bonus a fixed assessment, after the said by-law had been duly submitted to the electors of the said municipality and properly approved by them; and whereas the Holmes Foundry Co., Limited, has by its petition prayed that the said by-law should be confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Village of Point Edward Act, 1924.*

By-law  
No. 658  
confirmed.

**2.** Subject to the provisions of section 3 of this Act, By-law No. 658 of the municipal corporation of the Village of Point Edward, a copy of which is set forth in schedule "A" hereto is hereby declared to be legal, valid and binding upon the said municipal corporation of the Village of Point Edward and the Holmes Foundry Co., Limited.

Taxation  
for school  
purposes  
not  
affected.

**3.** Notwithstanding anything in the said by-law, the lands, property and business of the said Company shall be liable to taxation for school purposes on the full assessable value thereof as provided by *The Assessment Act.*

## SCHEDULE "A".

BY-LAW No. 658.

VILLAGE OF POINT EDWARD.

A by-law to fix the assessment of The Holmes Foundry Co., Limited, at the sum of Six Thousand Five Hundred Dollars (\$6,500.00) for all purposes whatsoever, for a period of ten years.

Whereas The Holmes Foundry Co., Limited, has proposed to the Corporation of the Village of Point Edward to establish and operate a manufactory for the manufacturing of automobile accessories and general foundry business, and to expend on the erection and equipment of such manufactory not less than Twenty-five Thousand Dollars (\$25,000.00), and to employ in such manufactory at least twenty-five (25) employees from the commencement of its operation, and thereafter keep the same continuously employed during labouring days, except as hereinafter specified, for at least ten (10) years from the time of such commencement, upon the said Corporation fixing an assessment of the said Company for all purposes whatsoever for a term of ten (10) years from the First day of January, 1918, as hereinafter provided at the sum of Six Thousand Five Hundred Dollars (\$6,500.00).

And whereas the said The Holmes Foundry Co., Limited, is the owner of the land in the Village of Point Edward known as Park Lot Number One (1), excepting thereout the Grand Trunk Railway right-of-way and the South-Eastern part owned by Mrs. Jennie Godley and Park Lot Number Two (2), excepting thereout the Grand Trunk Railway right-of-way, being subdivision of Lot Number Twenty-three (23), in the Seventh Concession of the Township of Sarnia.

And whereas the said land, or the greater part thereof has always, until purchased by the said Company in 1917, been unoccupied and unproductive.

And whereas it is deemed desirable to grant the said aid to the Company upon the terms and conditions in this by-law set forth.

Now therefore the Municipal Council of the Village of Point Edward enacts as follows:—

1. That the annual assessment of all the real and personal property of the said Company held and used for the purposes of its said manufactory, and not for any other purposes whatsoever, including business assessment, be fixed for all purposes whatsoever at the sum of Six Thousand Five Hundred Dollars (\$6,500.00) for a period of ten (10) years from and inclusive of the First day of January, 1918.

2. Should the said Company fail in any year during the said term to operate the said manufactory for a period of more than six (6) consecutive months, or continue for a like period to employ less than twenty-five (25) employees in the operation of its manufactory, unless such cessation of operation or such employment of twenty-five employees is caused by general business depression, strikes, fire, industrial depression, the act of God or the King's enemies, then the Village of Point Edward may in the next year after such default, and as often as such default shall be made, assess the said real and personal property as if such by-law and any Act validating the same had not been passed, but the said Company, its successors or assigns shall upon the payment of the taxes levied on the assessment made by reason of such default be thereafter entitled to the benefit of the assessment fixed by this by-law upon compliance with the conditions thereof.

3. That the said Company shall not be entitled to any of the benefits in this by-law provided, until it shall have erected a manufactory and have the same in operation, continuously employing at least twenty-five employees, such employees to be far as possible residents of the Village of Point Edward.

4.

4. The Clerk of the Municipality shall at the Council Chambers, in the Village of Point Edward, on Thursday, the Twenty-fifth day of October, 1917, at the hour of Twelve (12) o'clock noon, sum up the votes given for and against this by-law and the Reeve of the said Village, if requested so to do, will on Tuesday, the Twenty-third day of October, 1917, at Twelve o'clock noon, at the Council Chambers, in the said Village of Point Edward, appoint two persons to attend at the polling places on behalf of those persons interested in and desirous of promoting the by-law, and a like number of those interested and desirous of opposing the said by-law. The votes of the electors entitled to vote on said by-law shall be taken on Wednesday, the Twenty-fourth day of October, 1917, between the hours of 9 a.m. and 5 p.m. at the several places and by the persons set out in the notice appended hereto.

This by-law shall come into force and take effect immediately upon the final passing thereof.

Finally passed the

day of November, 1917.

(Sgd.) JOHN MARA,  
*Reeve.*

(Sgd.) DAVID SUHLER,  
*Clerk.*

## CHAPTER 118.

## An Act respecting the City of St. Catharines.

*Assented to 17th April, 1924.*

**W**HEREAS the corporation of the city of St. Catharines <sup>Preamble.</sup> has by its petition prayed for special legislation enabling the said corporation to deal with surpluses which arise in its sinking funds and as to the investment of such sinking funds and transfer thereto of unrequired balances of debenture issues and the proceeds of sale of real estate and other permanent assets of the said corporation; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The City of St. Catharines Act, 1924.* <sup>Short title.</sup>

2. The corporation of the city of St. Catharines may: <sup>Power to:</sup>

- (a) upon the certificate of the Treasurer that a surplus <sup>Apply surplus sinking funds to redemption of debentures before maturity.</sup> has arisen in the general administration of its sinking funds as a whole after full and adequate provision has been made for the individual sinking fund of all debenture debts, as required by by-laws constituting them, apply any such surplus towards the redemption before maturity of any city of St. Catharines debentures other than debentures issued for works constructed under the provisions of *The Local Improvement Act* held by the corporation as an investment in its sinking funds;
- (b) instead of investing separately the annual sinking fund levy in respect of any particular debenture <sup>Invest sinking funds en bloc.</sup> debt, or the interest arising from any such sinking fund or the investments applicable thereto, invest from time to time the whole or any part of all sinking fund moneys which may be on hand in such amounts as may be deemed desirable, provided

that

that a separate account shall be kept of the sinking fund of each debt showing the amount which should be accumulated in respect thereof as required by the by-law constituting the same, and an account shall also be kept showing the aggregate of the securities held applicable to the sinking fund as a whole;

Transfer  
balances to  
sinking fund.

- (c) transfer to the sinking fund, from time to time, the unrequired balance of any loan which may have been secured through the issue of debentures, and any other moneys which may from time to time be received by the corporation in the realization of real estate or other permanent assets.

Commence-  
ment of  
Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.



## CHAPTER 119.

An Act respecting the City of St.  
Catharines.*Assented to 17th April, 1924.*

**W**HEREAS the corporation of the city of St. Catharines Preamble.  
has by its petition represented that, with the assent of the  
municipal electors of the said city, it proposes to enter into  
an agreement with Canadian National Electric Railways  
respecting the transportation system in the said city; and  
whereas the said corporation has by its petition further  
represented that the said Canadian National Electric Railways  
has made a large appropriation of money for the purpose of  
rehabilitating the works and undertakings of the said trans-  
portation system and for making extensions, betterments and  
improvements thereto during 1924, and that it is in the  
interests of the said corporation that an Act should be passed  
authorizing the said corporation to enter into such an agree-  
ment; and whereas it is expedient to grant the prayer of the  
said petition;

Therefore His Majesty, by and with the advice and con-  
sent of the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** This Act may be cited as *The City of St. Catharines* Short title.  
*Transportation System Act, 1924.*

**2.**—(1) Subject to the provisions of subsections 2, 3 and 4 Power to enter into an agreement with Canadian National Railways.  
and to the assent of the electors of the city of St. Catharines  
being obtained thereto, the corporation of the said city may  
enter into an agreement with Canadian National Electric  
Railways to grant to the said railway an exclusive right,  
franchise and privilege on the basis of "service at cost" plan  
of franchise, to construct, reconstruct, maintain, lease, use,  
own and operate a transportation system by local lines of  
electric railway or other means of transportation in the said  
city and to and from the same, together with all railways  
or other works necessary or incidental thereto and with the  
right to use and occupy and to operate upon such streets of  
the said city as may be permitted under such agreement, and  
such agreement when assented to by the said electors shall

after its execution by the parties thereto stand confirmed and be legal, valid and binding and the said corporation is hereby authorized and empowered to pass such other by-laws and enter into such other agreements and do all such other acts, matters and things as may be deemed necessary by the said corporation for the full and proper carrying out of the provisions of the said agreement after the same has been entered into, and also may from time to time by by-law issue debentures to pay for the cost of any street paving to be undertaken by the said corporation pursuant to said agreement, either under the provisions of *The Consolidated Municipal Act, 1922*, or of *The Local Improvement Act* and assess, impose, levy and collect rates or assessments to meet the annual payments of principal or sinking fund and interest thereon as may be requisite; provided that if the assent of the municipal electors of the said city has been first obtained to the said agreement, it shall not be necessary that any by-laws passed or other things done under the provisions of this section shall be submitted to or receive the assent of the electors of the said city qualified to vote on money by-laws and all debentures so issued shall be valid and binding upon the said corporation and upon the property liable for the rate imposed by and under the authority of any such by-law.

Approval of  
Lieutenant-  
Governor in  
Council.

(2) The said agreement shall not be submitted to the said electors nor shall any by-law for that purpose be proceeded with by the council of the said corporation until the terms of the agreement have been submitted to and have received the sanction of the Lieutenant-Governor in Council.

School taxes  
not affected.

(3) Notwithstanding anything contained therein, the said agreement shall not apply to or affect taxation for school purposes.

Taxi cabs,  
etc.

(4) Nothing contained in the said agreement shall apply to vehicles such as automobiles, cabs or taxi cabs hired for special trips.

Licensing  
and regu-  
lating buses.

3. Notwithstanding anything in any general Act contained, the council of the said corporation in lieu and instead of The Board of Commissioners of Police shall have the power to pass such by-laws licensing and regulating buses and other vehicles as may be necessary to fully carry out any and all of the terms of the said agreement.

Power  
of city to  
purchase  
railway.

4. The said corporation is authorized and empowered to purchase the said transportation system under the terms of the said agreement and to own and operate the same notwithstanding that any portion thereof may be situate without the corporate limits of the said city, such operation to be

carried on in accordance with the terms of any agreement respecting the same which may be entered into with the corporation of the municipality in which such portion is situate or failing any such agreement in accordance with such terms and conditions as may be prescribed by the Ontario Railway and Municipal Board, which is hereby vested with all necessary powers in that behalf; provided always that the said transportation system shall not be purchased unless and until a by-law setting forth the terms of such purchase has been submitted to and received the assent of the electors of the said city qualified to vote on money by-laws as provided by *The Consolidated Municipal Act, 1922*.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.

## CHAPTER 120.

## An Act respecting the City of St. Thomas.

*Assented to 17th April, 1924.*

## Preamble.

**W**HEREAS the municipal corporation of the city of St. Thomas, has by its petition represented that in the year 1913 it loaned to the Erie Iron Works Limited, for the extension and improvement of its factory in the said city, the sum of \$15,000, payable within ten years from the date of the loan, and as security for the repayment thereof the said company executed and delivered to the city a mortgage bearing date the 20th day of August, 1913, upon all the real and personal property of the company in the city of St. Thomas; that the said company has been unable to pay off the said loan and has requested the council of the said city to renew or extend the time for payment of the said loan for ten years from the 20th day of August, 1924, and also to release from the said mortgage the personal property of the company consisting of stock in trade, raw material, manufactured or partly manufactured goods; and whereas the said municipal corporation has by its petition prayed, that an Act may be passed for the purposes aforesaid, and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

## Short title.

**1.** This Act may be cited as *The City of St. Thomas Act, 1924.*

Renewal of  
loan to Erie  
Iron Works,  
Limited.

**2.** The corporation of the city of St. Thomas may take from the Erie Iron Works Limited a new mortgage in renewal of or substitution for the said mortgage dated the 20th day of August, 1913, and registered in the Registry Office for the county of Elgin, as No. 36638 for St. Thomas, payable within ten years from the 20th day of August, 1924, \$500 or more of principal money to be paid yearly for the first nine years and the balance of principal at the end of ten years from said date, interest at the rate of six per cent. per annum, to be paid yearly on all unpaid principal, or at

its option may extend the time for payment of the monies owing on and secured by the said existing mortgage for the term of ten years, from the 20th day of August, 1924, and on the terms in this section set forth.

**3.** The said municipal corporation may release from the existing mortgage held by it against the property of the said company, the personal property mentioned therein, consisting of stock in trade, raw material, manufactured and partly manufactured goods, and may omit such personal property from any new mortgage taken to secure the balance remaining unpaid on said loan. Release of personalty.

**4.** The council of the said municipal corporation may pass all by-laws required to carry into effect the provisions of this Act, and it shall not be necessary to submit the same for the assent of the electors. Authority to pass by-laws; assent of electors.

**5.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 121.

An Act respecting the Town  
of Sandwich.*Assented to 17th April, 1924.*

Preamble.

1922, c. 72.

**W**HEREAS the corporation of the town of Sandwich has by its petition represented that it is desirable to hold the annual municipal election on the second Monday in the month of December in each year, and to provide that the annual statement required before the election shall be carried down to the 1st of December in each year, and for such other changes as may be necessary to allow compliance with the provisions of *The Consolidated Municipal Act, 1922*, consequent on the change of date of the said election, and to validate the debentures to be issued under By-law No. 1218 of the town of Sandwich for the purpose of paying the cost of extending Rosedale Avenue; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Town of Sandwich Act, 1924*.

Nominations  
to be held on  
the first  
Monday in  
December.

**2.** The council of the town of Sandwich shall hold the meeting of the electors for the nomination of candidates for mayor, councillors, public school trustees and commissioners, annually at ten o'clock in the forenoon of the first Monday in December instead of at the time provided in *The Consolidated Municipal Act, 1922*, at the town hall in the town of Sandwich, or at such place therein as may from time to time be fixed by by-law, and in case a poll is required it shall be held on the second Monday in December thereafter.

Financial  
statement to  
run to first of  
December.

**3.** The time for holding the meeting and closing the financial statement under subsection 9 of section 237 of *The Consolidated Municipal Act, 1922*, in the town of Sandwich shall be the 1st day of December, and the day for posting up or

deliverin  
g

delivering under subsections 11 and 12 of the said section shall be the 7th day of December.

4. By-law No. 1218 of the corporation of the town of Sandwich, passed on the 3rd day of December, 1923, set forth in Schedule "A" hereto, and authorizing the issue of debentures in the sum of \$6,452.30, to pay for the cost of the widening of Rosedale Avenue from Peter Street to London Street, in the town of Sandwich, and the debentures issued thereunder are hereby ratified and confirmed and are declared to be legal and valid upon the corporation of the said town and the ratepayers thereof. <sup>By-law 1218 validated.</sup>

## SCHEDULE "A".

### BY-LAW No. 1218

#### OF THE TOWN OF SANDWICH.

By-law to provide for borrowing \$6,452.30 upon debentures to pay for the construction of the widening of Rosedale Avenue, from Peter Street to London Street, in the Town of Sandwich.

Whereas pursuant to construction By-law No. 1068, passed on the 3rd day of July, 1922, the said widening has been constructed on Rosedale Avenue from Peter Street to London Street as a local improvement under the provisions of *The Local Improvement Act*.

And whereas the total cost of the work is \$6,452.30, of which \$2,138.99 is the Corporation's portion of the cost, and \$4,313.31 is the owners' portion of the cost, for which a special Assessment Roll has been duly made and certified.

And whereas the estimated lifetime of the work is 25 years.

And whereas it is necessary to borrow the said sum of \$6,452.30 on the credit of the Corporation and to issue debentures therefor bearing interest at the rate of six per cent. per annum, which is the amount of the debt intended to be created by this By-law.

And whereas it is expedient to make the principal of the said debt repayable in yearly sums during the period of 25 years, of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years.

And whereas it will be necessary to raise annually the sum of \$504.74 during the period of 25 years to pay the said yearly sums of principal and interest as they become due, of which \$167.33 is required to pay the Corporation's portion of the cost and the interest thereon, and \$337.41 is required to pay the owners' portion of the cost and the interest thereon.

And whereas the amount of the whole rateable property of the Municipality, according to the last revised assessment roll, is \$6,538,512.00.

And whereas the amount of the existing debenture debt of the Corporation (exclusive of local improvement debts), secured by special rates of assessment, is \$863,644.67 and no part of the principal or interest is in arrear.

Therefore the Municipal Council of the Corporation of the Town of Sandwich enacts as follows:—

1. That for the purpose aforesaid there shall be borrowed on the credit of the Corporation at large, the sum of \$6,452.30 and the debentures shall be issued therefor in sums of not less than \$50.00 each, bearing interest at the rate of six per cent. per annum, and having coupons attached thereto for the payment of the interest.

2. The debentures shall all bear the same date, and shall be issued within two years after the day on which this By-law is passed, and may bear any date within such two years, and shall be payable in 25 annual instalments during the 25 years next after the time when the same are issued, and the respective amounts of principal and interest payable in each of such years shall be as follows:—

No.	Principal	Interest	Total	Year
1	\$117 60	\$387 14	\$504 74	1924
2	124 66	380 08	504 74	1925
3	132 14	372 60	504 74	1926
4	140 07	364 67	504 74	1927
5	148 47	356 27	504 74	1928
6	157 38	347 36	504 74	1929
7	166 82	337 92	504 74	1930
8	176 83	327 91	504 74	1931
9	187 44	317 30	504 74	1932
10	198 60	306 05	504 74	1933
11	210 61	294 13	504 74	1934
12	223 25	281 49	504 74	1935
13	236 64	268 10	504 74	1936
14	250 84	253 90	504 74	1937
15	265 89	238 85	504 74	1938
16	281 85	222 89	504 74	1939
17	298 76	205 98	504 74	1940
18	316 68	188 06	504 74	1941
19	335 68	169 06	504 74	1942
20	355 83	148 91	504 74	1943
21	377 17	127 57	504 74	1944
22	399 81	104 93	504 74	1945
23	423 79	80 95	504 74	1946
24	449 22	55 52	504 74	1947
25	476 18	28 56	504 74	1948

3. The debentures as to both principal and interest may be expressed in Canadian currency, and may be payable at any place or places in Canada.

4. The Mayor of the Corporation shall sign and issue the debentures, and the same shall also be signed by the Treasurer of the Corporation, and the debentures shall be sealed with the seal of the Corporation and shall have coupons annexed thereto for the payment of interest, which shall have the signature of the Treasurer signed, printed, stamped or lithographed thereon.

5. During 25 years, the currency of the debentures, the sum of \$504.74 shall be raised annually for the payment of the debt and interest, as follows:—

The sum of \$167.33 shall be raised annually for the payment of the Corporation's portion of the cost and the interest thereon, and shall be levied and raised annually by a special rate sufficient therefor, over and above all other rates, on all the rateable property in the municipality, at the same time and in the same manner as other rates.

For the payment of the owner's portion of the cost and the interest thereon, the special assessment set forth in the said special Assessment Roll is hereby imposed upon the lands liable therefor as therein set forth; which said special assessments, with a sum sufficient to cover interest thereon at the rate aforesaid, shall be payable in equal annual instalments of each, and for that purpose an equal annual special rate of cents per foot frontage is hereby imposed upon each lot entered in the said special Assessment Roll, according



to the assessed frontage thereof, over and above all other rates and taxes, which said special rate shall be collected annually by the Collector of taxes for the Corporation, at the same time and in the same manner as other rates excepting always the lands of the above-named owners who have commuted.

For the payment of the owner's portion of the cost and the interest thereon, the special assessment set forth in the said special Assessment Roll is hereby imposed upon the lands liable therefor as therein set forth; which said special assessment, with a sum sufficient to cover interest thereon at the rate aforesaid, shall be payable in 25 equal annual installments of \$337.41 each, and for that purpose the special annual rates per foot frontage set forth in schedule (1) hereto attached, are hereby imposed upon the lots entered in the said special Assessment Roll, according to the assessed frontage thereof, over and above all other rates and taxes, and the said special rates shall be collected annually by the collector of taxes for the Corporation at the same time and in the same manner as other rates, excepting always the lands of the above-named owners who have commuted.

6. The debentures may contain any clause providing for the registration thereof, authorized by any statute relating to municipal debentures in force at the time of the issue thereof.

7. The amount of the loan authorized by this By-law may be consolidated with the amount of any loans authorized by other local improvement By-laws, by including the same with such other loans in a consolidating By-law authorizing the borrowing of the aggregate thereof as one loan, and the issue debentures for such loan in one consecutive issue, pursuant to the provisions of the statute in that behalf.

8. This By-law shall take effect on the day of the final passing thereof.

Read first, second and third time.

Passed this 3rd day of December, 1923.

(Sgd) ALEX. MCKEE, *Mayor*.  
[SEAL]  
(Sgd.) E. R. NORTH, *Clerk*.

## CHAPTER 122.

## An Act respecting the City of Sault Ste. Marie.

*Assented to 17th April, 1924.*

## Preamble.

**W**HEREAS the municipal council of the corporation of the City of Sault Ste. Marie hereinafter called "The Corporation" has, by petition, represented that it is desirable that certain by-laws specified in schedule "A" hereto and the debentures issued or to be issued thereunder be validated and confirmed; and that all sales of land within the city of Sault Ste. Marie made subsequent to the 31st day of December, 1921 and prior to the 1st day of January, 1923 which purport to have been made by the said corporation for arrears of taxes in respect to land so sold for which tax deeds have been issued by the said corporation, be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

## Short title.

**1.** This Act may be cited as *The City of Sault Ste. Marie Act, 1924.*

## By-laws Nos. 1211, 1223 and 1224 confirmed.

**2.** By-laws No. 1211, 1223 and 1224 of the corporation of the city of Sault Ste. Marie, set forth in schedule "A" hereto and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the corporation and the ratepayers thereof.

## Tax sales and deeds prior to 1st January, 1923, confirmed.

**3.—(1)** All sales of land within the city of Sault Ste. Marie made subsequent to the 31st day of December, 1921, and prior to the 1st day of January, 1923, which purport to have been made by the corporation of the said city for arrears of taxes in respect to lands so sold for which tax deeds have been issued by the said corporation, are hereby validated and confirmed, and all deeds of lands so sold executed by the mayor and treasurer of the said corporation on behalf

of the said corporation, purporting to convey the said lands so sold to the purchaser thereof or his, her or their assigns, are hereby validated and confirmed and shall have the power of vesting the lands so sold or conveyed or purporting to be sold or conveyed and the same are hereby vested in the purchaser or his or her or their heirs and assigns in fee simple, free and clear of and from all title or interest whatsoever of the owner or owners thereof at the time of such sale, or his, her or their assigns, and all charges or encumbrances thereon, except taxes accrued since those for which payment whereof the said lands were sold.

(2) Subsection 1 of this section shall extend and apply to cases where the said corporation or any person or persons in trust for it or in its behalf, became the purchaser of lands at any such tax sale.

(3) Nothing in this section contained shall affect any action, litigation or other proceeding now pending but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

4. The council of the corporation of the City of Sault Ste. Marie may pass a by-law to amend by-law 1156 of the said corporation to reduce the rate of interest from six and one-half per cent. to five and one-half per cent.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

Purchases  
by corpora-  
tion.

Pending  
litigation  
not  
affected.

Reduction  
rate of  
interest in  
By-law  
No. 1156.

Commence-  
ment of  
Act.

## SCHEDULE "A".

## BY-LAW No. 1211

## OF THE CITY OF SAULT STE. MARIE.

A by-law to authorize the issue of debentures to raise the sum of \$49,000 for the erection and equipment of a fire hall on the north-west corner of Bruce and Wellington Streets and to purchase the land required for same and to make certain alterations to Queen Street Fire Hall.

Whereas, it is expedient to borrow for the cost of the erection and equipment of a fire hall on the north-west corner of Bruce and Wellington Streets and the purchase of the land required for same and to make certain alterations to Queen Street Fire Hall, the sum of \$49,000 and that is the amount of the debt intended to be created.

And whereas, the amount of the whole rateable property of the municipality according to the last revised assessment roll is \$23,464,712;

And whereas, the amount of the debenture debt of the Corporation is \$4,034,023.22, no part of the principal or interest of which is in arrear;

Be it therefore enacted by the Municipal Council of the Corporation of the City of Sault Ste. Marie:—

1. For the purpose mentioned in the preamble there shall be borrowed on the credit of the Corporation the sum of \$49,000 and debentures shall be issued therefor on the instalment plan in sums of not less than one hundred (\$100) dollars each, which shall have coupons attached thereto for the payment of the interest.

2. The debentures shall all bear the same date and shall be issued within two years after the date on which this by-law is passed and may bear any date within such two years and shall be payable in thirty annual instalments during the thirty years next after the date when they shall be issued and the respective amounts payable in each of such years shall be as follows:—

Years	Principal	Interest	Total
1.....	676 47	2,695 00	3,371 47
2.....	713 67	2,657 80	3,371 47
3.....	752 92	2,618 55	3,371 47
4.....	794 33	2,577 14	3,371 47
5.....	838 02	2,533 45	3,371 47
6.....	884 11	2,487 36	3,371 47
7.....	932 73	2,438 74	3,371 47
8.....	984 04	2,387 43	3,371 47
9.....	1,038 15	2,333 32	3,371 47
10.....	1,095 26	2,276 21	3,371 47
11.....	1,155 49	2,215 98	3,371 47
12.....	1,219 05	2,152 42	3,371 47
13.....	1,286 09	2,085 38	3,371 47
14.....	1,356 84	2,014 63	3,371 47
15.....	1,431 45	1,940 02	3,371 47
16.....	1,510 19	1,861 28	3,371 47
17.....	1,593 25	1,778 22	3,371 47
18.....	1,680 89	1,690 58	3,371 47
19.....	1,773 32	1,598 15	3,371 47
20.....	1,870 86	1,500 61	3,371 47
21.....	1,973 76	1,397 71	3,371 47
22.....	2,082 31	1,289 16	3,371 47
23.....	2,196 84	1,174 63	3,371 47
24.....	2,317 67	1,053 80	3,371 47
25.....	2,445 14	926 33	3,371 47
26.....	2,579 63	791 84	3,371 47
27.....	2,721 51	649 96	3,371 47
28.....	2,871 19	500 28	3,371 47
29.....	3,029 11	342 36	3,371 47
30.....	3,195 71	175 76	3,371 47

---

49,000 00

3. The debentures as to both principal and interest may be expressed in Canadian currency or in sterling money of Great Britain at the rate of one pound sterling for each four dollars and eighty-six and two-third cents and may be payable at any place or places in Canada, Great Britain or the United States of America.

4. The debentures shall be signed and issued by the mayor and the said debentures and the interest coupons shall be signed by the treasurer and the debentures shall be sealed with the seal of the Corporation.

5. During the currency of the debentures, there shall be raised in each year the amount of the instalment of the principal and interest payable in that year as set forth in paragraph 2 hereof.

6. The debentures may contain any provision for the registration of them authorized by law.

7. This by-law shall take effect on the day of the passing thereof, subject to its being assented to by the electors.

Read a first time this 11th day of June, 1923.

(Sgd.) R. G. CAMPBELL,  
*Clerk.*

Read a second and third time and finally passed this 24th, day of July, 1923.

(Sgd.) JAMES DAWSON,  
*Mayor.*

(Sgd.) R. G. CAMPBELL,  
*Clerk.*

#### BY-LAW No. 1223

#### OF THE CITY OF SAULT STE. MARIE.

A by-law for borrowing the sum of \$4,000 for the purpose of the erection of a market building on Lot 31 on the north side of Queen Street in the City of Sault Ste. Marie.

Whereas, it is expedient to borrow for the purpose of the erection of a market building on Lot No. 31 on the north side of Queen Street in the City of Sault Ste. Marie, the sum of \$4,000 and that is the amount of the debt intended to be created.

And whereas, the amount of the whole rateable property of the Municipality according to the last revised assessment roll is \$23,494,312;

And whereas, the amount of the debenture debt of the Corporation is \$3,992,083.57, no part of the principal or interest of which is in arrear;

Be it therefore enacted by the Municipal Council of the Corporation of the City of Sault Ste. Marie as follows:—

1. For the purpose mentioned in the preamble there shall be borrowed on the credit of the Corporation the sum of \$4,000 and debentures shall be issued therefor on the instalment plan in sums of not less than \$100 each which shall have coupons attached thereto for the payment of the interest.

2. The debentures shall all bear the same date and shall be issued within two years after the date on which this by-law is passed and may

bear

bear any date within such two years and shall be payable in ten annual instalments during the ten years next after the date when they shall be issued and the respective amounts payable in each of said years shall be as follows:—

Years	Principal	Interest	Total
1.....	\$310 68	\$220 00	\$530 68
2.....	327 77	202 91	530 68
3.....	345 79	184 89	530 68
4.....	364 81	165 87	530 68
5.....	384 87	145 81	530 68
6.....	406 04	124 64	530 68
7.....	428 37	102 31	530 68
8.....	451 93	78 75	530 68
9.....	476 80	53 88	530 68
10.....	503 01	27 67	530 68

3. The debentures as to both principal and interest may be expressed in Canadian currency or in sterling money of Great Britain at the rate of one pound sterling for each four dollars and eighty-six and two-third cents, and may be payable at any place or places in Canada, Great Britain or the United States of America.

4. The debentures shall be signed and issued by the mayor and the said debentures and the interest coupons shall be signed by the treasurer and the debentures shall be sealed with the seal of the Corporation.

5. During the currency of the debentures there shall be raised in each year the amount of the instalment of principal and interest payable in that year as set forth in section 2.

6. The debentures may contain any provision for the registration of them authorized by law.

7. This by-law shall take effect on the day of the passing thereof subject to its being assented to by the electors.

Read a first time this 26th day of November, 1923.

(Sgd.) R. G. CAMPBELL,  
*Clerk.*

Read a second and third time and finally passed this 28th day of January, 1924.

(Sgd.) JAMES DAWSON,  
*Mayor.*

(Sgd.) R. G. CAMPBELL,  
*Clerk.*

#### BY-LAW No. 1224

#### OF THE CITY OF SAULT STE. MARIE.

A by-law for borrowing the sum of \$10,000 for the purpose of the purchase of the lands known as Bellevue Park in the City of Sault Ste. Marie.

Whereas, it is expedient to borrow for the purchase of the lands known as Bellevue Park in the City of Sault Ste. Marie the sum of \$10,000 and that is the amount of the debt intended to be created;

And whereas, the amount of the whole rateable property in the municipality, according to the last revised assessment roll is \$23,494,312;

And

And whereas, the amount of the debenture debt of the said Corporation is \$3,992,083.57 no part of the principal or interest of which is in arrear;

And whereas, an option for the purchase of the said lands for the said sum has been given by the owners thereof to the said Corporation and it has been deemed expedient to exercise said option subject to the assent of the electors being obtained thereto;

Be it therefore enacted by the Municipal Council of the Corporation of the City of Sault Ste. Marie as follows:—

1. For the purpose mentioned in the preamble there shall be borrowed on the credit of the Corporation the sum of \$10,000 and debentures shall be issued therefor on the instalment plan in sums of not less than \$100 each which shall have coupons attached thereto for the payment of the interest.

2. The lands hereinbefore referred to and commonly known as Bellevue Park, may be more particularly known and described as follows, that is to say;

*(a) Registry Office Parcels:—*

All and singular those certain parcels or tracts of lands and premises situate, lying and being in the City of Sault Ste. Marie in the District of Algoma and Province of Ontario firstly being composed of all that portion of Park Lot Number Four (4) lying south of Queen Street or the Front Road in the First Concession of Park Lots adjoining the Town Plot of Sault Ste. Marie and that portion of Park Lot Number Five (5) in the said First Concession of Park Lots which may be more particularly described as follows: Commencing at the northeast angle of that portion of Park Lot Number Five (5) lying south of Queen Street or the Front Road; thence northwesterly and along the south side of said Queen Street a distance of five chains and twenty-four links more or less to where a post has been planted; thence south and parallel to the eastern boundary of said Park Lot Five (5) a distance of five chains more or less to the water's edge of the St. Mary's River; thence southeasterly and along said water's edge to the dividing line between said Park Lots Four (4) and Five (5); thence northerly and along said dividing line to the place of beginning; also water lot in front of Park Lot Four (4) and part of Park Lot Number Five (5) in the First Concession of the said City of Sault Ste. Marie as shown on a plan of survey of Joseph Cozens, P.L.S., bearing date April 25th, 1887, on record in the Department of Crown Lands described as follows, that is to say:—

All and singular that certain parcel or tract of land or land covered with water situate, lying and being in front of Lot Number Four (4) and the easterly portion of Lot Number Five (5) in the First Concession of Park Lots adjoining the Town Plot of Sault Ste. Marie in the District of Algoma in the Province of Ontario and containing by admeasurement ten (10) acres be the same more or less which may be more particularly described as follows, that is to say:—

Commencing at the intersection of the eastern limit of said Lot Number Four (4) with the water's edge of the St. Mary's River at a distance of fourteen chains and twenty links south from the northeast angle of the front portion of the said Lot Number Four (4); thence south astronomically and following the production of the said easterly boundary a distance of ten chains; thence north sixty-four degrees west a distance of thirteen chains and forty-eight links more or less to the intersection of a line drawn from a point where a post has been planted on the southerly side of the Front Road at a distance of three chains from the northwest angle of the front portion of said Lot Number Five (5) (measured on a course south sixty-four degrees east) on a due south course; thence north and following said line a distance of fourteen chains and forty-five links more or less to the water's edge of the St. Mary's River; thence southerly and easterly and following the water's edge of the St. Mary's River to the place of beginning. Also the five islands in the St. Mary's River lying in front of and adjacent to said Park Lots Four (4), Five (5), Six (6) and Seven (7) in the First Concession.

*(b)*

*(b) Land Titles Parcels.*

Parcel Number 887 in the Register for the District of Algoma West section and more particularly described as follows:—

All that parcel or tract of land covered with water situate, lying and being in the City of Sault Ste. Marie in the District of Algoma in the Province of Ontario containing by admeasurement five and five-tenths acres be the same more or less, which said parcel or tract of land covered with water may be otherwise known as follows, that is to say:—

Being composed of water lot in front of water lot in front of parts of Lots Numbers Five (5) and Six (6) in the First Concession of Park Lots in the said City of Sault Ste. Marie, saving and excepting the three islands originally contained therein, excluding approximate original area of the said three islands but including approximate increment, and which may be more particularly described as follows, that is to say: Commencing at the southwest angle of the water lot in front of Park Lot Four (4) and part of Park Lot Five (5) said water lot being shown on plan of survey by Joseph Cozens, Dominion Land Surveyor, bearing date April 25th, 1887, and on record in the Department of Crown Lands, Toronto; thence north sixty-four degrees west astronomically five hundred and seventy-nine and seven-tenths feet more or less to the southeasterly angle of water lot entered in the office of Land Titles for the District of Algoma at Sault Ste. Marie as Parcel 95 West Section; thence north astronomically along the east limit of said water lot five hundred and sixty-one feet; thence south sixty-four degrees east astronomically along the southerly limit of said water lot registered as Parcel 95 Algoma West Section, five hundred and seventy-nine and seven-tenths feet more or less to the west limit of the first mentioned water lot in front of Park Lot Four (4) and part of Park Lot Five (5); thence south astronomically along the said west limit five hundred and sixty-one feet more or less to the place of beginning. The above described parcel is shown coloured pink on a plan of survey by Ontario Land Surveyors, Lang & Ross, dated November 5th, 1913, on record in the Department of Lands, Forests and Mines a copy of which plan is attached to and forms part of the Letters Patent, being the whole of the said parcel.

3. The debentures shall all bear the same date and shall be issued within two years after the date on which this by-law is passed and may bear any date within such two years and shall be payable in twenty annual instalments during the twenty years next after the date when they shall be issued, and the respective amounts payable in each of the said years shall be as follows:—

Years	Principal	Interest	Total
1.....	\$286 80	\$550 00	\$836 80
2.....	302 57	534 23	836 80
3.....	319 22	517 58	836 80
4.....	336 78	500 02	836 80
5.....	353 29	481 51	836 80
6.....	374 83	461 97	836 80
7.....	395 45	441 35	836 80
8.....	417 20	419 60	836 80
9.....	440 15	396 65	836 80
10.....	464 35	372 45	836 80
11.....	489 89	346 91	836 80
12.....	516 83	319 97	836 80
13.....	545 26	291 54	836 80
14.....	575 24	261 56	836 80
15.....	606 89	229 91	836 80
16.....	640 26	196 54	836 80
17.....	675 48	161 32	836 80
18.....	712 63	124 17	836 80
19.....	751 83	84 89	836 80
20.....	793 18	43 62	836 80

4. The debentures as to both principal and interest may be expressed in Canadian currency or in sterling money of Great Britain at the rate of one pound sterling for each four dollars and eighty-six and two-third



cents, and may be payable at any place or places in Canada, Great Britain or the United States of America.

5. The debentures shall be signed and issued by the mayor and the said debentures and interest coupons shall be signed by the treasurer and the debentures shall be sealed with the seal of the Corporation.

6. During the currency of the debentures there shall be raised in each year the amount of the instalment of principal and interest payable in that year as set forth in section 3.

7. The debentures may contain any provision for the registration of them authorized by law.

8. This by-law shall take effect on the day of the passing thereof, subject to its being assented to by the electors.

Read a first time this 26th day of November, 1923.

(Sgd.) R. G. CAMPBELL,  
*Clerk.*

Read a second and third time and finally passed this 28th day of January, 1924.

(Sgd.) JAMES DAWSON,  
*Mayor.*

(Sgd.) R. G. CAMPBELL,  
*Clerk.*

## CHAPTER 123.

An Act respecting the Township of  
Schreiber.

*Assented to 17th April, 1924.*

Preamble.

**W**HEREAS the Municipal Corporation of the Township of Schreiber by petition has prayed that an Act may be passed confirming By-law No. 128 of the Township of Schreiber, and an agreement made between the said Corporation of the Township of Schreiber and the Canadian Pacific Railway Company referred to in said by-law which said by-law and agreement are set out and shown in full in Schedule "A" to this Act; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Township of Schreiber Act, 1924.*

By-law No.  
128 and  
agreement  
with C.P.R.  
confirmed.

**2.** By-law No. 128 of the Corporation of the Township of Schreiber, together with the agreement therein referred to (the said by-law and agreement being respectively set out in full in Schedule "A" to this Act), are hereby ratified, confirmed and declared to be legal, valid and binding upon the said parties thereto, and the Corporation of the Township of Schreiber is hereby authorized and empowered to do and perform all acts and things provided for by the said by-law and agreement to be done and performed by it, or necessary or proper for carrying out the full intent and meaning of the said by-law and agreements.

Commence-  
ment of Act.

**3.** This Act shall come into force and take effect on the day on which it receives the Royal Assent.

## SCHEDULE "A."

## TOWNSHIP OF SCHREIBER.

## BY-LAW No. 128.

By-law to authorize the signing of an agreement between The Canadian Pacific Railway Company, hereinafter called the Company, of the first part,

and

The Corporation of the Township of Schreiber, hereinafter called the Corporation, of the second part,

For permission of the inhabitants of the village of Schreiber to draw water as heretofore for domestic and fire protection purposes from the water supply from Cook's Lake.

Whereas the Company have commenced operations to construct a cement dam at Cook's Lake for the purpose of obtaining more water supply for their use.

And whereas the Corporation have heretofore been using from this supply for domestic and fire protection purposes through the Company's mains and hydrants, etc.

And whereas the Company if at any time should gain full control of the said water supply, the Corporation deems it necessary to enter into an agreement with the Company or its officers whereby the said Corporation may still retain the privilege to use the water from this supply as heretofore.

And whereas a draft agreement has been drawn up and both parties represented by their officers have discussed the matter of said agreement, and have after changes and corrections made to said agreement, finally agreed to the signing of said agreement.

Be it therefore enacted by the Municipal Council of the Corporation of the Township of Schreiber as follows:—

The head or acting head for the time being with the clerk of the said Corporation is hereby authorized to sign the said agreement, made in duplicate the 30th day of December, A.D. 1922, between the said Company and the Corporation, a true copy of said agreement being attached to this by-law.

Read a first, second and third time and passed in open council this 22nd day of February, A.D. 1923.

As witness the corporate seal of the Corporation and the signatures of the reeve and clerk.

A. D. HADLEY,  
*Reeve.*

THOS. BOSLER,  
*Clerk.*

Corporate Seal of  
The Corporation of the  
Township of Schreiber.

This

This agreement made in duplicate the 30th day of December, A.D. 1922.

Between:

CANADIAN PACIFIC RAILWAY COMPANY, hereinafter  
called the "Company,"

of the First Part;

—and—

THE CORPORATION OF THE TOWNSHIP OF SCHREIBER,

hereinafter called the "Corporation,"

of the Second Part.

Whereas the Company has a dam across the southern part of Cook's Lake in the Township of Schreiber in the District of Thunder Bay, Province of Ontario, and by means of a water pipe connected therewith conveys water from the said lake to its water tank, shops and dwellings in the Village of Schreiber for the purpose of its railway.

And whereas the Company has heretofore permitted the inhabitants of the said Village to draw water for domestic and fire protection purposes from water taps and hydrants attached by the Company to the said water pipe and extensions thereof.

And whereas the Company is about to reconstruct the said dam across the said lake.

And whereas for the purpose of ensuring a satisfactory supply of unpolluted water from the said lake it is to the mutual advantage of the parties hereto that the Company acquire control of the lands adjacent to the said lake and that the interests of the parties as between themselves in the said supply of water be agreed upon.

Now, therefore, in consideration of the premises the parties hereto for themselves, their successors and assigns, covenant and agree each with the other as follows, that is to say:

The Company will continue to permit the inhabitants of the Village of Schreiber to draw water as heretofore for domestic and fire protection purposes from the water taps and fire hydrants respectively of the company save from those water taps and fire hydrants located on the lands of the company and the Company will endeavour at all times to have available at the said water taps and fire hydrants a supply of water sufficient for the purpose aforesaid.

The Company will in its reconstruction of the said dam leave therein a water gate ten inches in diameter and will consent at any time hereafter upon the request of the Corporation to the laying by it of a water pipe to the said lake and its connection with the said water gate (said connection to be made on reasonable notice under the supervision of the General Superintendent of the Algoma District of the Company or such officer of the Company as he may appoint at the costs and expenses of the Corporation), and will, if the Corporation so desires at any time hereafter consent to the raising of the crest of the dam in manner satisfactory to the Company at the expense of the Corporation, to a height of not more than five feet above the level to which it is now being constructed, in order that the Corporation may obtain its own supply of water from the said lake.

The Corporation grants to the Company forever the right to retain in their present locations the pipes, water taps and fire hydrants now laid or located on the highways, streets or lanes of the Corporation, to extend or alter the locations of its said pipes and to establish or locate further taps or fire hydrants along or on such highways, streets or lanes of the Corporation as it shall deem advisable and to enter by its contractors and its or other agents, servants and employees upon the said highways, streets and lanes to excavate for the extension, laying, altering or repairing of, or doing any other work in connection with the said pipes, water taps or fire hydrants, provided, however, that the Company, its contractors

and

and its and their agents, servants and employees in doing such excavating, extending, laying, altering, repairing or other work shall do no unnecessary damage to the said highways, streets or lands or properties adjacent thereto.

The Corporation will not permit its officers, agents, servants or employees to interfere directly or indirectly with the water pipes, taps or hydrants of the Company, save as may be necessary by the means provided by the Company to draw water from the said water taps and hydrants for the purposes aforesaid and the said water pipes, taps and hydrants shall at all times be and remain the property of the Company.

It is understood and agreed that nothing herein contained shall be deemed a covenant or undertaking by the company to furnish an uninterrupted or any supply of water to the said taps or hydrants and that if at any time hereafter the supply of water shall for any cause whatsoever become insufficient for the needs both of the Company and the Corporation the Company shall have the right, if it deem it advisable, to restrict or discontinue the supply of water to the Corporation, but it shall endeavour with all reasonable speed to restore the same.

The Corporation hereby consents to the granting by the Crown to the Company of such patents, licenses of occupation and licenses to use the water at Cook's Lake as are not inconsistent with the terms of this agreement.

The Corporation covenants and agrees that, if it lays a pipe line to obtain its own water supply from the said lake as hereinbefore mentioned and as long as the Company maintains its own water supply system, the Corporation will relieve the Company of all liability for contribution towards the cost of the said pipe line or any part thereof and of all works connected therewith and will exempt the Company from all water taxes that might otherwise be charged against it or levied upon its property, the intention being that the Company shall be at no expense whatever arising directly or indirectly out of the establishment by the Corporation of the means of obtaining its own water supply; provided, however, and it is hereby agreed that upon the Corporation having laid its said pipe to the said lake and connected it to the said water gate the Company may if it so desires take up and remove from the highways, streets and lanes of the Corporation, its water pipes, taps and hydrants or any of them and discontinue the said supply of water at them or any of them, in which event the Corporation shall have the right to acquire the dam above referred to at such price as may be agreed upon, or in default of agreement fixed by arbitration under the provisions of *The Arbitration Act*, and the Corporation will through its system furnish the Company with a supply of water adequate for all its requirements free of charge until the price of the said dam shall have been paid to the Company, and thereafter at such rates as shall in default of agreement between the parties hereto be fixed by the Ontario Railway and Municipal Board.

The parties hereto agree that they will join with each other in securing any legislation that may be necessary to ratify and confirm this agreement.

IN WITNESS WHEREOF the parties hereto have affixed their Corporate Seals under the hands of their duly authorized officers below named.

CANADIAN PACIFIC RAILWAY COMPANY,

[SEAL]

GRANT HALL,  
Vice President.  
H. C. OSWALD,  
Assistant Secretary.  
A. D. HADLEY,  
Reeve.  
THOS. BOSLER,  
Clerk.

[CORPORATE SEAL]

## CHAPTER 124.

An Act respecting the Municipality  
of Shuniah.*Assented to 17th April, 1924.*

Preamble.

**W**HEREAS the Corporation of the Municipality of Shuniah, in the District of Thunder Bay, has by its petition prayed for special legislation confirming all tax sales held by it prior to the 31st day of December, 1921; and whereas it is expedient to grant the prayer of the said petition.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title

**1.** This Act may be cited as *The Municipality of Shuniah Act, 1924.*

Tax sales  
and deeds  
confirmed.

**2.** All sales of lands within the Municipality of Shuniah, held prior to the 31st day of December, 1921, and which purport to be made by the corporation of the said municipality, or any official or officials thereof, for arrears of taxes in respect to lands so sold, are validated and confirmed, and all deeds of lands so sold, executed by the reeve and treasurer of the said municipality, purporting to convey the said lands so sold to the purchaser thereof, or his assigns, are validated and confirmed, and shall have the effect of vesting the lands so sold and conveyed or purported to be sold and conveyed, and the same are vested in the purchaser or his assigns and his and their heirs and assigns, in fee simple, free and clear of and from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and encumbrances thereon except taxes accrued since those for non-payment whereof the said lands were sold.

Purchases  
by  
muni-  
cipality.

**3.** Section 2 shall extend and apply to cases where the municipality or any one in trust for it or on its behalf became the purchaser of the lands.

Pending  
litigation not  
affected.

**4.** Nothing in this Act contained shall affect any action, litigation or other proceeding now pending, but the same may

be

be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed.

5. This Act shall not apply to lands forfeited to the Crown under *The Mining Tax Act*.

Act not to  
apply to  
lands  
forfeited  
under  
Rev. Stat.  
c. 26.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

## CHAPTER 125.

An Act respecting the Town of  
Sioux Lookout.*Assented to 17th April, 1924.*

Preamble.

**W**HEREAS the municipal corporation of the Town of Sioux Lookout has by its petition represented that such corporation has incurred, for the purpose of purchasing electrical equipment, grading roads, enlarging the municipal pavilion, and making payments to the Public School Board on account of arrears of public school taxes, a floating debt to the extent of twenty thousand dollars (\$20,000); and whereas the said corporation has by its petition represented that to pay off the said floating debt of twenty thousand dollars (\$20,000) now due and owing, and to pay in addition thereto the ordinary annual expenditures would be unduly oppressive to the ratepayers of the said town; and whereas the said corporation has prayed that the said floating debt of twenty thousand dollars (\$20,000) be consolidated, and that it be authorized to borrow by the issue and sale of debentures sufficient money to discharge the said floating debt; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Town of Sioux Lookout Act, 1924.*

Floating  
debt con-  
solidated at  
\$20,000.

**2.** The floating debt of the corporation of the Town of Sioux Lookout is consolidated at the sum of twenty thousand dollars (\$20,000) and the said corporation may borrow by a special issue of debentures a sum not exceeding twenty thousand dollars (\$20,000) for the purpose of paying the said floating debt.

Term of  
debentures  
and interest.

**3.** The said debentures shall be made payable in not more than ten years from the date of issue thereof, and shall bear interest at a rate not exceeding six per centum per annum, and may be issued either with or without coupons attached

thereto



thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

4. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

Equal  
annual  
instalments  
of principal  
and interest.

5. The said corporation shall levy in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Special  
rate.

6. The debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt and for no other purpose.

Application  
of proceeds  
of debentures.

7. It shall not be necessary to obtain the assent of the electors of the Town of Sioux Lookout to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Consolidated Municipal Act, 1922*.

Assent of  
electors  
not required.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Irregularity  
in form not  
to invalidate  
debentures.

9. It shall be the duty of the treasurer, for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time be realized from the sales or negotiations of the said debentures, and the application which shall, from time to

Treasurer  
to keep  
proper books  
of account.

time,

time, be made of the said amounts and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town, and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

Commence-  
ment of Act.

**10.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 126.

An Act respecting the Township of  
Stamford.*Assented to 17th April, 1924.*

**W**HEREAS the corporation of the Township of Stamford Preamble.  
has by its petition represented that it is in the interests  
of the corporation that powers should be conferred upon the  
corporation to construct, operate and maintain sewers and  
sewage disposal works to serve certain defined sections and  
to levy the whole cost thereof upon such sections or areas,  
either by special rate on all the rateable property therein or  
partly as a local improvement and partly as a general charge.

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:—

**1.** This Act may be cited as *The Township of Stamford* Short title.  
*Act, 1924.*

**2.** The corporation of the Township of Stamford may pass Power to  
construct  
sewer and  
sewage dis-  
posal works  
for benefit  
of defined  
areas.  
by-laws:—

(a) To construct, operate and maintain sewers, a  
sewage system and sewage disposal works in any  
defined section or area of the township.

(b) To provide that the whole cost of the construction  
of sewage disposal works, and trunk sewers having  
a sectional area of more than four feet, other than  
those hereinafter mentioned, shall be raised by a  
special rate on all the rateable property in such  
defined section or area and shall not be borne by  
the corporation at large.

(c) To provide that the cost of the construction of all  
sewers having a sectional area of not more than  
four feet may be specially assessed as a local  
improvement under and pursuant to the provisions  
of *The Local Improvement Act*, and be charged  
against and be paid by a special rate on the lands

fronting and abutting directly thereon, and that the amount of reductions provided for by section 24, and the amount of exemptions provided for by section 48 of *The Local Improvement Act* shall not be chargeable upon the land liable to be specially assessed, but shall be levied by a special rate on all the rateable property in such defined section or area.

- (d) To provide that when a sewer, having a sectional area of more than four feet, is used both as a trunk sewer and a service sewer having connections with private drains, the cost of the construction thereof shall be apportioned, and so much thereof as would have been necessary to construct a service sewer, having a sectional area of not more than four feet, shall be raised as provided for in clause *c* herein, and the balance thereof shall be raised as provided for in clause *b* herein.

Issue of  
debentures,

3. The said corporation may from time to time borrow on the credit of the corporation at large, as the work proceeds, such sums of money as may be necessary to defray the cost of the works undertaken and to issue debentures for the sums so borrowed, but the whole of the cost shall be raised as hereinbefore set out and shall not be borne by the corporation at large.

Agreement  
with adjoining  
municipality for  
admission of  
sewage.

4. The township council may also arrange terms with any adjoining municipality for the admission of sewage from the township into the sewers and works of such adjoining municipalities, and the expenditure of moneys which may be incurred in any way by the township council may by by-law of the said council be assessed or charged against any defined section in the same manner as in the case of sewage disposal works as above described.

## CHAPTER 127.

## An Act respecting the Township of Tisdale.

*Assented to 17th April, 1924.*

**W**HEREAS the corporation of the township of Tisdale Preamble.  
 has by its petition prayed that it be enacted as hereinafter set forth: and whereas special conditions exist in the township which render it expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Township of Tisdale Act*, Short title.  
 1924.

**2.** By-laws may be passed by the council of the township of Tisdale for licensing, regulating and governing teamsters, Licensing, regulating teamsters, etc. carters, draymen, drivers and owners of cabs, busses and other vehicles for hire and for establishing the rates or fares to be charged by the owners or drivers of such vehicles for the conveyance of goods or passengers within the township.

## CHAPTER 128.

## An Act respecting the City of Toronto.

*Assented to 17th April, 1924.*

Preamble.

**W**HEREAS the corporation of the City of Toronto has by petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

Grant to  
Japan  
Relief Fund  
validated.

**1.** The grant by the council of the corporation of the City of Toronto during the year 1923 of the sum of seven thousand five hundred dollars (\$7,500) to the relief fund for sufferers from the recent earthquake in Japan is hereby validated and confirmed and declared to be legal.

Tax sales  
and deeds  
confirmed.

**2.** All sales of lands within the municipality of the City of Toronto made during the year 1922, purporting to be made by the said corporation for arrears of taxes in respect of the lands so sold, are hereby validated and confirmed and all conveyances of lands so sold executed by the mayor, treasurer and clerk of the said corporation, purporting to convey the said lands so sold to the purchaser thereof or his assigns, or to the said corporation, shall have the effect of vesting the lands so sold and conveyed in the purchaser or his assigns, or his or their heirs and assigns, or in the said corporation and its successors or assigns, as the case may be, in fee simple, and clear of and from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and of all charges and encumbrances thereon, except taxes accruing after those for non-payment whereof the said lands were sold.

CHAPTER 129.

An Act respecting the City of Toronto.

*Assented to 17th April, 1924.*

**W**HEREAS the corporation of the city of Toronto has Preamble  
by petition prayed for special legislation in respect to  
the matters hereinafter set forth; and whereas it is expedient  
to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and con-  
sent of the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

1. This Act may be cited as *The City of Toronto Act*, Short title,  
1924.

2. The council of the said corporation, without submitting Borrowing  
the same to the electors qualified to vote on money by-laws, without \$1,048,000  
may pass a by-law or by-laws for the issue of "City of Toronto assent of  
General Consolidated Loan Debentures" to raise the sum of electors.  
\$1,048,000, for the following purposes, namely:—

Sewage disposal plant and site, North Toronto.....	\$1,000,000
Relief Sewers:—	
1. Queen Street East, and North Neville Park Boulevard.....	22,000
2. Jackman Avenue from Danforth Avenue to Browning Avenue.....	26,000
Total.....	<hr/> \$1,048,000

## CHAPTER 130.

## An Act respecting the City of Toronto.

*Assented to 17th April, 1924.*

Preamble.

**W**HEREAS, the corporation of the city of Toronto has by petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Authority  
to raise  
\$217,115 on  
debentures.

**1.** The council of the corporation of the city of Toronto may, without submitting the same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for the issue of "City of Toronto General Consolidated Loan Debentures" to raise the sum of \$217,115 for the following purposes, namely:

Relief Sewer:

Cawthra Avenue, reconstruction of . . . . . \$ 51,000

High Pressure Fire System:

Additional pump with steam turbine . . . . . 111,765

Extension of Sewers,

re water front development . . . . . 34,350

Completion of Pure Food Building,

Exhibition Grounds . . . . . 20,000

Total . . . . . \$217,115

Remission  
of taxes.

**2.** The council of the said corporation may remit taxes for general purposes only for the years up to and including 1923 on the undermentioned War Veterans' club houses in the city, namely:—

West End Veterans' club house, No. 722 College Street,  
Earls court Veterans' club house, No. 6A Greenlaw  
Avenue; Central Veterans' club house, No. 41  
Isabella Street; Riverdale Veterans' club house, No.  
463 Broadview Avenue; Beaches Veterans' club  
house, No. 96 Lee Avenue; Originals' club house,  
No. 441 Jarvis Street; Amputations' Association club  
house, No. 7 College Street.



3. The council of the said corporation may make a grant to each of the club houses mentioned in the foregoing section 2, of a sum of money equal to the amount of all taxes other than taxes for general purposes due on each club house up to and including the year 1923 for the purpose of paying such taxes.

Grant to club houses to pay taxes.

4. The council of the corporation of the city of Toronto may out of its current revenue for the year 1924 pay the sum of \$1,000 to any trust fund or trustees appointed to administer any fund raised or created for the relief of the widow and child of the late Herbert Freeland.

Grant to dependents late Herbert Freeland.

5. The council of the said corporation may by by-law close all or any part of the Lake Shore Road referred to in Schedule "A" to the Act passed in the fifty-second year of the reign of Her late Majesty Queen Victoria, Chaptered 85, lying between the easterly side of the River Humber and the westerly limit of Keele Street (now Parkside Drive) excepting thereout the northerly production of Jane Street, Windermere Avenue, Ellis Avenue and Howard Avenue, and also close that part of the said Lake Shore Road lying east of Keele Street (now Parkside Drive) and dispose of the parts of the said Lake Shore Road so to be closed in the same manner as any highway closed by municipal by-law may be dealt with under the powers of the council.

Power to close road.

## CHAPTER 131.

## An Act respecting the Town of Trenton.

*Assented to 17th April, 1924.*

Preamble.

**W**HEREAS the Municipal Corporation of the Town of Trenton has by petition represented that the waterworks system of the said town has been extended from time to time by the construction of water mains under the local improvement system; that it is desirable to provide for the payment of the cost of water mains hereafter constructed as extensions of the said waterworks system by assessing and charging lots abutting thereon an equal annual special rate of nine cents per foot frontage during a period of thirty years, and by charging the remainder of the cost of such water mains on the corporation at large; and that if such annual rate of nine cents per foot frontage should produce more than the actual cost of any water main in respect to which such rate is charged, the surplus shall be used by the town for general waterworks purposes; and whereas the Corporation of the Town of Trenton has by petition represented that By-law Number 1407, entitled "A By-law to provide for borrowing \$174,796.74 upon debentures to pay for the construction of certain water mains and private water connections," was duly passed by the said corporation on the 3rd day of December, 1923; that certain doubts have arisen as to the validity of the said by-law; and that it is desirable that said by-law should be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Town of Trenton Act, 1924.*

Special  
frontage rate  
for cost of  
water mains.

2. Notwithstanding anything contained in *The Consolidated Municipal Act, 1922*, *The Local Improvement Act*, or any other Act, it shall be lawful for the Corporation of the Town of Trenton, when extending the waterworks system by the construction of water mains as a local improvement work and borrowing money therefor by the issue of debentures, to

provide

provide that an annual rate of nine cents per foot frontage be specially assessed upon the lands abutting directly on said water mains for a period of thirty years to pay, and in satisfaction of the owners' share of the cost of such water mains and the interest thereon. The remainder of the cost of such water mains shall be borne by the Corporation of the Town of Trenton at large, and the said corporation shall in each year during the said period of thirty years impose, levy and raise such sum as may be necessary to meet the corporation's share of the said cost and interest thereon by a rate sufficient therefor on all the rateable property in the said corporation.

3. If, in respect of any water main constructed by the said Corporation of the Town of Trenton as a local improvement, the said annual rate of nine cents per foot frontage imposed for a period of thirty years against the lands abutting on any such water main shall produce more than the actual cost of such water main, the surplus over and above the actual cost shall be used by the town for general waterworks purposes as the council of the town may from time to time direct.

Application  
of surplus  
from rate.

4. The cost of private water service pipes, water connections, and other private services to any lot constructed in connection with any such water main shall be specially assessed by a special rate per foot frontage only upon the particular lot for or in connection with which the same was constructed or effected.

Frontage  
rate for  
private  
water  
service pipes.

5. The provisions of this Act shall extend to all water mains the construction of which has been heretofore authorized but with respect to which no debentures have heretofore been issued.

Retroactive  
effect of Act.

6. By-law Number 1407 of the Corporation of the Town of Trenton, entitled "A By-law to provide for borrowing \$174,796.74 upon debentures to pay for the construction of certain water mains and private water connections," and passed on the 3rd day of December, 1923, is hereby confirmed, validated and declared to be legal and binding upon the said corporation and the ratepayers thereof, and the rates imposed by and to be levied under said by-law for payment of the debt authorized by said by-law and the interest thereon are also confirmed and declared to be valid and binding upon the said corporation and the ratepayers thereof.

By-law No.  
1407  
confirmed.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

## CHAPTER 132.

## An Act respecting the Town of Trenton.

*Assented to 17th April, 1924.*

## Preamble.

**W**HEREAS the municipal corporation of the town of Trenton has by petition represented that the municipal council of the said town by an affirmative vote of three-fourths of all the members of the council, and after the by-law had received the assent of more than two-thirds of the electors voting thereon, duly passed By-law No. 1421 on the 18th day of February, 1924, authorizing the said town to raise the sum of \$8,000 upon debentures for the purpose of acquiring a site for and aiding the erection of a building by Harry Kaye for factory purposes in the said town, and to execute a certain agreement between the said town and the said Harry Kaye annexed as a schedule to said By-law No. 1421 and providing *inter alia* for the exemption of the said factory site and buildings from taxation excepting school taxes and local improvement rates; and whereas certain doubts have arisen as to the validity of the said by-law and agreement and whereas the said agreement does not accurately carry out the intention of the said parties that the tax exemption granted thereby should be limited to a period of ten years and it is desirable that the said by-law and the said agreement, subject to a limitation of ten years upon the tax exemption granted thereby, and the debentures issued or to be issued under said by-law and the rates levied or to be levied for the payment of the said debentures be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

By-law 1421,  
Trenton, and  
agreement  
with Harry  
Kaye and  
Company,  
confirmed.

1. By-law No. 1421 of the town of Trenton passed the 18th day of February, 1924, entitled a by-law to authorize the municipal council of the town of Trenton to raise the sum of eight thousand dollars by sale of debentures. The said sum to be used for the purpose of acquiring a site and erecting a building to be used as a factory and office by Harry

Kaye

Kaye, trading, manufacturing and selling under the name and style of H. Kaye and Company; and also to authorize the mayor and clerk of the town to execute a certain agreement between the corporation of the town of Trenton and the said Harry Kaye and all debentures issued or to be issued thereunder and all rates levied or to be levied for the payment of the said debentures and the interest thereon, are confirmed and declared to be legal, valid and binding upon the corporation and the ratepayers thereof; and the said agreement between the corporation and the said Harry Kaye annexed to said By-law No. 1421 is also confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and said Harry Kaye; provided that the tax exemption granted by the corporation to said Harry Kaye and referred to in said agreement shall be limited to a period of ten years commencing the 1st day of January, 1925.

2. This Act shall come into force on the day upon which <sup>Commence-</sup> it receives the Royal Assent. <sup>ment of Act.</sup>

## CHAPTER 133.

## An Act respecting the Town of Walkerville.

*Assented to 17th April, 1924.*

Preamble.

**W**HEREAS the corporation of the town of Walkerville has by its petition represented that a very large proportion of all the buildings in the town are owned by certain manufacturers who have in the past owned and operated the fire system of the town of Walkerville to the mutual benefit and advantage of the citizens of the said town and of the manufacturers; and whereas owing to the general growth of the town it is desirable that the corporation should assume and take over the said fire system and that it is desirable however, that for a number of years the skill and experience of the persons who in the past have been in charge of and employed in the operation of the said fire system should be available for the benefit of the citizens of the town and for that purpose the ratepayers of the town should assist in the control and operation of the said fire system and that a commission for the purpose of controlling and operating the said fire system should be established upon which the said manufacturers and owners might have representation; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Town of Walkerville Fire Commission Act, 1924.*

Meaning of "Fire System."

**2.** In this Act "Fire System" shall mean and include fire engines, wagons, hose and attachments and the fire alarm system and other fixtures owned by the corporation of the town of Walkerville, and the pipes, hydrants, shut-offs, and similar attachments used in connection therewith.

Constitution of Fire Commission.

**3.—(1)** For the purposes hereinafter mentioned there shall be a commission consisting of the mayor of the town of Walkerville, the chairman of the fire, light and water committee of the council of the said town and three ratepayers of

the said town appointed by the council forthwith after the annual organization meeting of the council.

(2) The chairman of the fire, water and light committee shall hold office in the commission for the year for which he is elected as member of the council and each ratepayer after the expiry of the term of the appointments made by this Act shall hold office for the term of three years. Term of office of Commissioners.

(3) William McMullen Grant of the town of Walkerville, manager, is hereby appointed a member of the said commission for the year 1924; Charles Duncan Brown, of the said town, manager, is hereby appointed a member of the said commission to hold office for the years 1924 and 1925; Stephen Adelbert Griggs, of the said town, manufacturer, is hereby appointed a member of the said commission to hold office for the years 1924, 1925 and 1926. First Commissioner nominated.

(4) Where a vacancy in the commission occurs from any cause the council shall immediately appoint a successor who shall hold office during the remainder of the term for which his predecessor was appointed. The filling of vacancies.

4. The said commission shall be a body corporate and shall be called "The Walkerville Fire Commission." Incorporation.

5. The said commission shall have for fire purposes the control and management and operation of the fire system of the town of Walkerville and is hereby authorized to take charge of and manage fires and matters connected therewith and to engage and employ such firemen, officers, clerks and assistants as may be necessary for said purposes. Commission to control the fire system.

6. A majority of the commissioners shall constitute a quorum of the commission. Quorum.

7. No member of the council except the head thereof and the chairman of the fire, water and light committee shall at the same time be a member of the Commission. Councillors as Commissioners.

8. The council may for cause appearing sufficient, by resolution remove from office any member of the commission who is not a member of the council and in such case shall forthwith proceed to appoint a new member to fill the vacancy. Removal of commissioners for cause.

9. The commission shall on or before the first day of March in each year submit to the council, estimates of its expenditures for the current year and the council may reduce or alter such estimates as it may see fit. Estimates to be submitted.

Council to  
provide the  
funds.

**10.** The council shall in addition to all other rates and assessments for municipal purposes levy and assess in every year a special annual rate sufficient to furnish the amount required by the commission for the year as provided in the said estimates.

Commission  
to make  
returns.

**11.** The commission shall at least once a year and on or before the 15th day of January in each year cause a return to be made to the council, containing a statement of the affairs of the commission and shall also furnish such further information as from time to time may be required by the council.

Accounts to  
be audited.

**12.** The accounts of the commission shall be audited by the auditor of the corporation and the commission and its officers shall furnish to the auditor such information and assistance as may be in their power to enable the audit to be made.



## CHAPTER 134.

An Act respecting the County of  
Waterloo.*Assented to 17th April, 1924.*

**W**HEREAS the corporation of the County of Waterloo <sup>Preamble.</sup> has established and erected and has for a number of years maintained a house of refuge, which by agreement with the corporations of the City of Kitchener and the City of Galt has been maintained by the three corporations as a joint house of refuge; and whereas it has become necessary to enlarge and improve the building and property of the house of refuge; and whereas the council of the County of Waterloo pursuant to agreement with the corporations of the City of Kitchener and the City of Galt, has contracted for and completed additions and improvements at a total cost of \$150,000; and whereas the cost of such additions and improvements is to be borne by the said three municipalities; and whereas the council of the County of Waterloo duly passed By-law No. 822 on the twenty-first day of December, A.D. 1923, authorizing the corporation of the County of Waterloo to issue debentures to the amount of \$150,000, repayable with interest at five and one-half per centum per annum in twenty equal annual payments of principal and interest, subject to the said by-law being confirmed and validated by Act of the Legislature of the Province of Ontario; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The County of Waterloo Act*, <sup>Short title.</sup>  
1924.

2. By-law No. 822 of the County of Waterloo to <sup>By-law No. 822 con-</sup> authorize the issue of debentures for the sum of one hundred <sup>firmed.</sup> and fifty thousand dollars (\$150,000), as passed by the council of the said County of Waterloo on the twenty-first day of December, A.D. 1923, and set out as Schedule "A" hereto is hereby ratified and confirmed and declared to be legal, valid and binding upon the municipal corporation of the said

County

County of Waterloo and the ratepayers thereof notwithstanding any want of jurisdiction on the part of the municipality to pass the said by-law without the approval of the ratepayers of the said municipality or for any other reason.

Debentures  
confirmed.

3. The debentures issued or to be issued under or in pursuance of the provisions of the said by-law are hereby ratified and confirmed and declared to be legal, valid and binding upon the said municipal corporation and the ratepayers thereof notwithstanding any defect in substance or in form of the said by-law or debentures or in the manner of passing or issuing the same, and the said corporation of the County of Waterloo is hereby authorized and empowered to do all acts and things necessary for the fulfillment and proper carrying out of the said By-law No. 822.

Commence-  
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "A".

### COUNTY OF WATERLOO.

#### BY-LAW No. 822.

For borrowing the sum of \$150,000 for the purpose of making additions and improvements to the House of Refuge property.

Whereas the corporation of the County of Waterloo has established a House of Refuge and has entered into an agreement with the corporations of the City of Kitchener and the City of Galt that the same shall be a joint House of Refuge;

And whereas it is deemed necessary and expedient to make certain improvements and additions to the buildings and property of the said House of Refuge which additions and improvements have been approved by the municipal councils of the said corporations;

And whereas it is necessary for the purpose of paying for such improvements to borrow upon the debentures of the corporation of the County of Waterloo the sum of \$150,000.

And whereas it is desirable to issue the said debentures at one time and to make the principal repayable by yearly instalments during the period of twenty years, such yearly instalments being of such amounts that with the interest in respect of the debt payable annually the aggregate amount payable for principal and interest in each year shall be as nearly as possible the same;

And whereas the amount of the whole rateable property of the municipality according to the last Revised Assessment Roll is \$58,912,524.

And whereas the amount of the debenture debt of the corporation is \$10,474.30 no part of the principal or interest of which is in arrear;

And

And whereas the amount required to be raised annually during twenty years, the currency of the debentures to be issued hereunder to pay the principal thereof, together with interest at five and one-half per cent. per annum is the sum of \$12,551.90.

Be it therefore enacted by the municipal council of the corporation of the County of Waterloo;

1. For the purpose mentioned in the preamble there shall be borrowed on the credit of the corporation the sum of \$150,000, and debentures shall be issued therefor on the instalment plan in sums of not less than one hundred dollars each which said debentures may or may not have coupons attached there o for the payment of interest at the rate of five and one-half per cent. per annum.

3. The debentures shall all bear the same date and shall be issued within two years after the date on which this by-law is passed and may bear any date within such two years, and shall be payable in twenty annual instalments during twenty years next after the date when they shall be issued and the respective amounts payable in each of such years shall be as set out in Schedule "A" attached to and forming part of this by-law;

3. The debentures, as to both principal and interest may be expressed in Canadian currency or in sterling money of Great Britain at the rate of one pound sterling for each four dollars and eighty-six and two-thirds cents.

4. The debentures shall be signed and issued by the warden and shall be sealed with the seal of the corporation and the said debentures and interest coupons (if any) shall be signed by the treasurer; the signature of the treasurer to the said coupons (if any) may be written, stamped, lithographed or engraved, and the said debentures shall be payable at the office of the treasurer of the municipality.

5. During the currency of the said debentures or any of them there shall be raised annually by special rate sufficient therefor on all the rateable property in the said County of Waterloo in the manner provided by Statute in that behalf, the sum of \$12,551.90 for the purpose of paying the principal and interest of the said debt as and when it becomes due.

6. The debentures may contain any provision for the registration of them authorized by law.

7. This by-law shall come into effect only when validated by Act of the Legislature of the Province of Ontario.

Passed at the council chamber of the County of Waterloo, this twenty-first day of December, A.D. 1923.

(Sgd.) WALTER OLIVER,

*Warden.*

(Sgd.) SAMUEL CASSEL,

*Clerk.*

[SEAL.]

## SCHEDULE "A" TO BY-LAW No. 822

OF THE

## COUNTY OF WATERLOO.

No.	Principal	Interest	Total.
1.....	\$4,301 90	\$8,250 00	\$12,551 90
2.....	4,538 50	8,013 40	12,551 90
3.....	4,788 12	7,763 78	12,551 90
4.....	5,051 47	7,500 43	12,551 90
5.....	5,329 30	7,222 60	12,551 90
6.....	5,622 41	6,929 49	12,551 90
7.....	5,931 65	6,620 25	12,551 90
8.....	6,257 88	6,294 02	12,551 90
9.....	6,602 07	5,949 83	12,551 90
10.....	6,965 18	5,586 72	12,551 90
11.....	7,348 27	5,203 63	12,551 90
12.....	7,752 42	4,799 48	12,551 90
13.....	8,178 80	4,373 10	12,551 90
14.....	8,628 64	3,923 26	12,551 90
15.....	9,103 21	3,448 69	12,551 90
16.....	9,603 89	2,948 01	12,551 90
17.....	10,132 10	2,419 80	12,551 90
18.....	10,689 37	1,862 53	12,551 90
19.....	11,277 29	1,274 61	12,551 90
20.....	11,897 53	654 37	12,551 90

## CHAPTER 135.

## An Act to incorporate the Village of Windermere.

*Assented to 17th April, 1924.*

**W**HEREAS F. W. Newton, Wm. Aiken, Henry Long-<sup>Preamble.</sup>hurst, all residents of the unincorporated Village of Windermere in the Township of Watt, in the District of Muskoka, have by their petition represented that the said village has a resident population of 130 inhabitants or thereabouts, which is steadily increasing; and whereas the population of the said village is largely increased in the summer time by the influx of owners of summer cottages and summer residents, so that the resident population in the summer months is increased to above 500 inhabitants; and whereas the said village is a noted summer resort which attracts large numbers of summer visitors from many parts of Canada and the United States; and whereas the inhabitants of the said village have by their petition represented that they are desirous of becoming incorporated as a village, that there is great difficulty in equalizing the values of village and farm properties in said township which is large and scattered, and that its finances could be better husbanded and used to more equitable advantage, and that its progress, interest and prosperity would be promoted if the said village were incorporated; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Village of Windermere* <sup>Short title.</sup> Act, 1924.

2. From and after the holding of the first election under this Act, the inhabitants of the said village of Windermere shall be, and they are hereby constituted a corporation or body politic under the name of the Corporation of the Village of Windermere, apart from the Township of Watt, in which the said village is situate, and shall enjoy and have all the rights, powers and privileges which could have been enjoyed

and

and exercised by the said Village of Windermere if the same had been incorporated under *The Consolidated Municipal Act, 1922*, except as otherwise provided by this Act.

Boundaries.

**3.** The said Village of Windermere shall comprise and consist of all that part of the said Township of Watt described as follows: Commencing at the intersection of the line between lots 26 and 27 in the ninth concession of the said Township of Watt with the centre of the River Dee; thence southerly along the said line between lots 26 and 27 to the line between concessions 7 and 8; thence westerly along the line between concessions 7 and 8 to the division line between lots 28 and 29; thence southerly along the said division line to the centre of the road allowance between concessions 6 and 7; thence easterly along the centre line of the said road allowance to the water's edge of Lake Rosseau; thence south-westerly and north-westerly and north-easterly along the said water's edge to the centre of the River Dee; thence easterly along the centre of the River Dee to the place of beginning; together with Ellen Island and Island H in Lake Rosseau and including that portion of the land covered by the waters of Lake Rosseau lying within 200 feet of the water's edge of the said lake, and extending from the north-easterly angle of lot 28 in the sixth concession to the mouth of the River Dee.

Nomina-  
tion.

**4.** After the passing of this Act, it shall be lawful for H. D. Longhurst, who is hereby appointed the returning officer, to hold the nomination for the first election of reeve and councillors at the schoolhouse in the said Village of Windermere, at the hour of twelve o'clock noon, on the first Monday of May, 1924, of which he shall give one week's notice by a notice in writing posted up in at least six of the most public places in the said Village of Windermere, and the said H. D. Longhurst shall preside at the said nomination, or in case of his absence, the electors shall choose from among themselves a chairman to preside at the said nomination and such chairman shall have all the powers of a returning officer, and the polling for the said election, if necessary, shall be held on the same day of the week next following and the returning officer or chairman shall, at the close of the nomination, duly announce the polling places in the said Village of Windermere at which the polling is to take place.

Deputy  
returning  
officers.

**5.** The said returning officer or chairman shall, by his warrant, appoint a deputy returning officer for each polling place so announced by him, and such returning officer or chairman and each of such deputy returning officers shall, before holding the said election, take the oath or affirmation required by law, and shall respectively be subject to all the

provisions

provisions of *The Consolidated Municipal Act, 1922*, applicable <sup>1922, c. 72.</sup> to returning officers at elections in villages in so far as the same do not conflict with this Act, and the said returning officer or chairman shall have all the powers and perform the several duties devolving on village clerks with respect to municipal elections in incorporated villages.

6. The clerk of the said Township of Watt, and any other officer thereof shall, upon demand made upon him by the said returning officer or any other officer of the said village, or by the chairman hereinbefore mentioned, at once furnish such returning officer, officers or chairman with a certified copy of so much of the last revised assessment roll for the said village and township as may be required to ascertain the names of the persons entitled to vote in the said village at the first election, and with the collector's roll, and any document, statement, writing, or deed that may be required for that purpose, and the said returning officer shall furnish each of the said deputies with a true copy of so much of the said roll as relates to the names of the electors entitled to vote in each of the said polling divisions respectively, and each such copy shall be verified on oath.

Township clerk to furnish copy of assessment roll, etc.

7. The council of the said village to be elected in manner aforesaid, shall consist of a reeve, who shall be the head thereof, and four councillors, and they shall be organized as a council on the same day of the week next following the week of polling, or if there be no polling, on the same day of the next week following the week of nomination, and subsequent elections shall be held in the same manner as in villages incorporated under the provisions of *The Consolidated Municipal Act, 1922*, and the said council and their successors in office, shall have, use, exercise and enjoy all the powers and privileges, and shall be subject to all the liabilities and duties of councils in such villages.

Council, how composed.

8. The several persons who shall be elected or appointed under this Act, shall take the declarations of office and qualification now required by *The Consolidated Municipal Act, 1922*, to be taken by persons elected or appointed to like office in villages.

Declarations of office, etc.

9. At the first election of reeve and councillors for the said Village of Windermere, the qualifications of electors and that of the officers required to qualify shall be the same as that required in villages by *The Consolidated Municipal Act, 1922*, and the qualification for reeve shall be the same as that of a reeve in a village.

Qualification at first election.

Right of village to proportion of moneys in lands of township.

**10.** The council of the said Village of Windermere shall be entitled to recover from the said Township of Watt such share of all moneys on hand, due, owing and of right collectible by and belonging to the said township at and prior to the said time of incorporation or thereafter, if entitled thereto, as shall bear such proportion to the whole as the amount of the assessed property within the limits of the said village as shown by the collector's roll of the year 1923 bears to the whole amount of the assessed property of the said Township of Watt, and the said village shall be liable to pay to the said township a share in the same proportion of all debts and liabilities existing against the said township at the time this Act shall come into force, as the same shall become due and which are fairly and equitably chargeable against the said village, and in case of dispute, the share to be borne by each respectively shall be ascertained and settled under the provisions of *The Consolidated Municipal Act, 1922*.

1922, c. 72.

Expenses of obtaining Act.

**11.** The expenses incurred in obtaining this Act, and those of furnishing any documents or copies of papers, writings, deeds or any matters whatsoever required by the clerk or other officer of the said village or otherwise, shall be borne by the said village and paid by it to any party that may be entitled thereto.

Assessment for 1924.

**12.** The assessment roll and the assessments and all other matters contained therein for all that part of the Township of Watt, that is hereby created into the Village of Windermere, as made by the assessor for the said Township of Watt for the year 1924 shall be valid and binding upon the persons and properties mentioned in the said assessment roll as if the said Corporation of the Village of Windermere had been created and the same had been made by an assessor duly appointed by the council of said village municipality at the time the said assessment roll was made, and the clerk of the said Township of Watt shall forthwith after the expiration of the time limited for appealing to the Court of Revision from the said assessment roll, furnish to the said H. D. Longhurst, or to the clerk for the time being of the said Village of Windermere, a true copy certified as such under his hand and the seal of the corporation of the Township of Watt, of so much of the said assessment roll as relates to the lands and other properties within the limits of said village, and the income and business assessment of persons residing within such limits, together with all notices of appeal from the assessment or other matters contained in or omitted from the said roll that have been filed with him that relate in any way to the said matters aforesaid, and thereafter the said appeals and the said portion of said assessment roll and the



taxes to be payable thereunder shall belong to, be collected by, and be dealt with by the council of the said Village of Windermere in the same manner as if the said Village of Windermere had been regularly constituted at the time the said various proceedings were taken and had been made or received by duly appointed officials of the said village corporation.

**13.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.

## CHAPTER 136.

An Act respecting certain lands fronting on  
Goyeau Street, in the City of Windsor.*Assented to 17th April, 1924.*

## Preamble.

**W**HEREAS the petitioners, James Barber McLeod and Alfred Buell Cameron, and Luella Victoria Cameron, all of the city of Toronto, in the county of York, and others are the owners of the lots hereinafter referred to in the Plan of subdivision of land, fronting on Goyeau Street, in the city of Windsor, registered in the registry office for the registry division of the county of Essex, as number 93 for the city of Windsor, namely, the said James Barber McLeod as surviving trustee of the estate of John Curry, deceased, as follows: The southerly one-third ( $\frac{1}{3}$ ) of lots Two hundred and seven (207), Two hundred and ten (210), the southerly one hundred and eleven feet, six inches ( $111' 6''$ ) of Lots Two hundred and fourteen (214), Two hundred and eighteen (218), Two hundred and thirty-one (231), Two hundred and thirty-five (235), the northerly one hundred and nine feet, six inches ( $109' 6''$ ) of Lots Two hundred and thirty-nine (239), Two hundred and forty-three (243), Two hundred and forty-seven (247), Two hundred and fifty (250), Two hundred and fifty-one (251), on the east side of Goyeau Street, Plan 93, and Lot Two hundred and eight (208) on the west side of Goyeau Street according to the said Plan; the said Alfred Buell Cameron and Luella Victoria Cameron, as follows: The middle one-third ( $\frac{1}{3}$ ) of Lot Two hundred and seven (207), the northerly sixty-two feet, six inches ( $62' 6''$ ) of Lots Two hundred and eleven (211), Two hundred and fifteen (215), Two hundred and nineteen (219), the southerly twenty-four feet, six inches ( $24' 6''$ ) of Lots Two hundred and twenty-three (223), Two hundred and twenty-six (226), Two hundred and thirty (230), Two hundred and thirty-four (234), Two hundred and thirty-eight (238), the southerly sixty-four feet, six inches ( $64' 6''$ ) of Lots Two hundred and forty-two (242), and Two hundred and forty-six (246); William D. Ellis, the northerly one-quarter ( $\frac{1}{4}$ ) of Lot Two hundred and twenty-two (222), comprising thirty feet ( $30'$ ) frontage; James A. Fletcher, Emma L. Stewart, Mutual Finance Corporation, Limited, and the Fletcher Lumber Company, Limited, the

south half of the north half of Lot number Two hundred and twenty-two (222), comprising thirty feet (30') frontage, the westerly forty feet (40') of the south sixty feet (60') of Lot Two hundred and twenty-two (222) and of the northerly twenty-nine feet, six inches (29' 6") of Lot Two hundred and twenty-three (223), comprising forty feet (40') frontage on the north side of Shepherd Avenue and the middle forty feet (40') of the southerly sixty feet (60') of Lot Two hundred and twenty-two (222) and of the northerly twenty-nine feet, six inches (29' 6") of Lot Two hundred and twenty-three (223), being the middle forty feet (40') frontage on the north side of Shepherd Avenue by a depth of eighty-nine feet, six inches (89' 6"); to one Charles Drown, the easterly forty-two feet (42') more or less of the southerly sixty feet (60') of Lot Two hundred and twenty-two (222), and of the northerly twenty-nine feet, six inches (29' 6") of Lot Two hundred and twenty-three (223), being the easterly forty-two feet (42') more or less frontage on the north side of Shepherd Avenue by a depth of eighty-nine feet, six inches (89' 6"); and Robert Parker, George C. Hough, F. S. English and Annie English, Lot Two hundred and twenty-seven (227), and the said James Barber McLeod as such trustee is the registered owner of the Lots numbered Two hundred and fifty-four (254), Two hundred and fifty-five (255), Two hundred and fifty-eight (258), Two hundred and fifty-nine (259), Two hundred and sixty-two (262), Two hundred and sixty-three (263), Two hundred and sixty-six (266), Two hundred and sixty-seven (267), Two hundred and seventy (270), Two hundred and seventy-one (271), and Two hundred and seventy-four (274), of said Plan, if there were sufficient land to be covered by these Lot numbers; and whereas it appears that the said Plan, number 93, is defective, in that it purports to show according to frontage more land than can actually exist between Park Street, which abuts it on the north, and the Tecumseh Road, which abuts it on the south, the extent of such excess being one thousand, three hundred and twenty feet (1,320') frontage more or less, by the full depth of the lots as shown on the said Plan; and whereas there has been great difficulty in making title to the said lands, owing to the error in the said Plan; and whereas the said petitioners have caused to be prepared a new Plan of subdivision of the said Lots with the consent of all persons interested therein, and have by their petition prayed that an Act may be passed declaring such new Plan of subdivision a proper subdivision of the said Lots; and whereas it is expedient to grant the prayer of the said petition.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

New plan  
of sub-  
division  
confirmed  
and registrar  
directed to  
register.

1. The new Plan of subdivision dated the 23rd day of January, 1924, submitted by the petitioners and prepared by W. J. Fletcher, of the city of Windsor, Ontario, Land Surveyor, covering the following Lots fronting on the east side of Goyeau Street, in the city of Windsor, namely: The southerly eighty feet (80') from front to rear of Lot Two hundred and seven (207), Lot Two hundred and ten (210), Two hundred and eleven (211), except the southerly fifty-seven feet, six inches (57' 6") sold to the city of Windsor for a street opening called Ellis Avenue, Lot Two hundred and fourteen (214) less eight feet six inches (8' 6") sold to the city of Windsor for the said street opening, Lots Two hundred and fifteen (215), Two hundred and eighteen (218), Two hundred and nineteen (219), Two hundred and twenty-two (222), Two hundred and twenty-three (223), less a portion composed of the north thirty-five feet, six inches (35' 6") of the south half and the south thirty feet, six inches (30' 6") of the north half of said Lot sold to the city of Windsor for a street opening called Shepherd Avenue, Lots Two hundred and twenty-six (226), Two hundred and twenty-seven (227), Two hundred and thirty (230), Two hundred and thirty-one (231), Two hundred and thirty-four (234), Two hundred and thirty-five (235), Two hundred and thirty-eight (238), Two hundred and thirty-nine (239), less a portion sold to the city of Windsor for the opening of Hanna Avenue, Lot Two hundred and forty-two (242), less the north fifty-five feet, six inches (55' 6") sold to the city of Windsor for the said street opening, Lots Two hundred and forty-three (243), Two hundred and forty-six (246), Two hundred and forty-seven (247), Two hundred and fifty (250) and Two hundred and fifty-one (251), of registered Plan number 93 for the city of Windsor, which land commences at a point distant nine hundred and fifty-one feet, six inches (951' 6") measured southerly from the southerly limit of Giles Boulevard in the said city of Windsor and continued southerly to the north limit of the Tecumseh Road; also Lot Two hundred and eight (208) on the west side of Goyeau Street, in the city of Windsor, commencing at a point in the westerly limit of Goyeau Street aforesaid nine hundred and eleven feet, six inches (911' 6") from the southerly limit of Giles Boulevard aforesaid, is hereby declared to be a proper subdivision of said lots and parts of lots in lieu of those shown on said original Plan, number 93, and the Registrar of Deeds for the registry division of the county of Essex is hereby empowered and directed to accept such Plan for registration upon payment of the usual fees prescribed by *The Registry Act*.

Commence-  
ment of Act.

2. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 137.

## An Act respecting the City of Windsor.

*Assented to 17th April, 1924.*

**W**HEREAS the municipal corporation of the city of Windsor has by petition requested that the corporation be given power to provide for better recreation facilities for the residents of the municipality; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The City of Windsor Act, 1924*. Short title.

2.—(1) A system of public recreation with proper supervision including play-grounds, athletic fields, outdoor and indoor recreation centres, gymnasiums, public baths, swimming pools and bathing beaches and other suitable recreational projects and activities may be established by the said municipality and the same may be controlled and managed in the manner hereinafter provided. Authority to establish system of public recreation.

(2) This Act shall not come into force and be effective until a by-law of the municipality is passed submitting to the electors qualified to vote on money by-laws, the question whether or not they desire said Act to become operative within the municipality. Coming into force of Act.

(3) If the majority of the votes is in favour of the by-law, it shall be finally passed by the council at its next regular meeting held after the taking of the vote, or as soon thereafter as may be. Final passing by-law where vote favourable.

(4) If the vote is adverse no by-law for the same purpose shall afterwards be submitted to the electors within the same year. Where vote adverse.

3.—(1) In case of the adoption of this Act the general management, regulation and control of the system of public recreation hereby created and of all the property and interest in

same

same and works which may thereafter be acquired, established or undertaken under the provisions of this Act shall be vested in and exercised by a Board to be called "The Board of Recreation Management of the City of Windsor".

Limit on  
powers of  
Board.

(2) Nothing in this Act shall authorize the Board to use, assume possession or control of any building or lands belonging to the municipal corporation or other municipal body without the consent of the council or of such body owning or having control of said building or lands.

Constitution  
of Board.

4. The Board shall be a corporation and shall be composed of the head of the municipality and of eight other members who shall be residents of the municipality, but not members of the council; three of said members shall be appointed by the Council of the City of Windsor; two of said members shall be appointed by the Board of Park Management of the City of Windsor; one of said members shall be appointed by the Roman Catholic Separate School Board of the City of Windsor; and the remaining two members shall be appointed by the Board of Education of the City of Windsor.

Member-  
ship of  
Board.

5.—(1) The appointed members of the Board shall hold office for two years, except in the case of the members of the first Board, four of whom shall hold office until the 1st day of February in the year following the first appointments, and the remaining four for a period of one year, such members retiring in rotation, four each year, the order of such retirement to be determined by lot among themselves at their first meeting; but every member of the Board shall continue in office until his successor is appointed and may be eligible for reappointment.

Vacancy.

(2) In case of a vacancy by the death or resignation of a member, or from any cause other than the expiration of the time for which he was appointed, the member appointed in his place shall hold office for the remainder of his term and until his successor is appointed.

Term of  
office.

(3) Save as aforesaid, each of the appointed members shall hold office for two years from the 1st day of February in the year in which he is appointed.

Date of  
first ap-  
pointment.

(4) The first appointment of members of the Board shall be made at the first regular meeting of the Council or other appointing body held after the final passing of the by-law.

Date of  
subsequent  
appoint-  
ments.

(5) Thereafter the appointments shall be made annually at the first meetings of the council and the other municipal bodies having power hereunder to make such appointment,

held after their organization; and any vacancy arising from any cause other than the expiration of the time for which the member was appointed shall be filled at the first meeting of the council or other appointing body held after the occurrence of the vacancy.

(6) The first members of the Board, within ten days after their appointment, and on such day and hour as the Mayor of the municipal corporation shall appoint, notice of the appointment in writing signed by him having been duly sent to the address of each member at least one week before the day and hour named therein, shall meet at the office of the head for the purpose of organization, shall elect one of their number chairman and shall appoint a secretary who may be one of their own number.

(7) If for any reason appointments are not made at the prescribed time, the same shall be made as soon as may be thereafter.

(8) The chairman and secretary shall hold office at the pleasure of the Board, or for such period as the Board may prescribe.

(9) When the chairman or secretary is absent, or unable to act, the Board may appoint a chairman or secretary *pro tempore*.

(10) The Board shall meet at least once in every month.

(11) The chairman or any two members may summon a special meeting of the Board by giving at least two days' notice in writing to each member, specifying the purpose for which the meeting is called.

(12) The office of a member who is absent from the meetings of the Board for three consecutive months, without leave of absence from the Board or without reasons satisfactory to the Board, shall be declared vacant by the Board, and notice thereof shall be given to the council or other appointing body at its next meeting.

(13) No business shall be transacted at any special or general meeting unless at least three members are present.

(14) All orders and proceedings of the Board shall be entered in books to be kept for that purpose and shall be signed by the chairman for the time being, and, when so entered and purporting to be so signed, shall be deemed to be original

orders and proceedings, and the books may be produced and read in any judicial proceeding as evidence of the orders and proceedings.

Remuner-  
ation.

**6.**—(1) The members of the Board shall serve without compensation, but each member shall be entitled to receive his actual disbursements for expenses incurred for services rendered by direction of the Board.

Contractual  
interest.

(2) No member of the Board, or of the municipality, shall have any contract with the Board, or be pecuniarily interested, directly or indirectly, in any contract or work relating to the property of the Board.

Staff.

**7.** The Board may employ all necessary supervisors, agents and servants and may prescribe their duties and compensation.

Inspection  
of records.

**8.** The Board shall keep in its office all books, maps, plans, papers and documents, used in and pertaining to the business of the Board, and the same shall be open to the examination of the members of the council and other municipal bodies interested and of any other person appointed for that purpose by the council or any other said municipal bodies.

Audit.

**9.** The Board shall keep accounts of its receipts, payments, credits and liabilities; and the same shall be audited by the auditors of the municipal corporation in like manner as other accounts of the municipal corporation and shall thereafter be laid before the council by the Board.

By-laws for  
protection  
of property.

**10.**—(1) The Board may pass by-laws for the use, regulation, protection and government of the property acquired by it under its jurisdiction, not inconsistent with the provisions of this Act or of any law of Ontario.

Evidence.

(2) The by-laws shall be sufficiently authenticated by being signed by the chairman of the Board, and a copy of any by-law written or printed, and certified to be a true copy by any member of the Board, shall be receivable as evidence without proof of any such signature.

Gifts, etc.

**11.** Real and personal property may be devised, bequeathed, granted, conveyed or given to the municipal corporation for the purposes of the Board upon such trusts and conditions as may be prescribed by the donor.

Acquisition  
land, etc.

**12.**—(1) The Board may acquire by purchase, lease or otherwise the land, rights and privileges required for the purposes of this Act.



(2) The conveyances of all land, rights and privileges so <sup>Conveyances</sup> acquired by purchase or lease shall be taken to the municipal <sup>in name of</sup> corporation.

(3) The Board shall have power to let any land not <sup>Lease.</sup> immediately required for its purposes.

(4) If it has more land than is required for its purposes, it <sup>Power</sup> may sell or otherwise dispose of the land not required in such <sup>of sale.</sup> manner and upon such terms as may be deemed most advantageous.

**13.**—(1) The council of the municipal corporation may by <sup>Use of</sup> by-law provide that any land acquired by the corporation and <sup>land ac-</sup> not immediately required for any other purpose shall be under <sup>quired by</sup> the management and control of the Board, and the Board <sup>corporation.</sup> may set apart such land or any part thereof for athletic purposes or for the purposes of sport exhibitions or other lawful amusements or entertainments, and may use the same for such purposes for such times and upon such terms as it may see fit.

(2) The council may repeal any by-law passed under sub- <sup>Sale of such</sup> section 1 of this section, and the municipal corporation may <sup>land upon</sup> thereafter sell or otherwise dispose of the land or use the <sup>repeal of</sup> same for any lawful purpose of the corporation. <sup>by-law.</sup>

**14.**—(1) The Board shall, in the month of March in every <sup>Preparation</sup> year, prepare an estimate of the sums required during the <sup>of annual</sup> ensuing financial year, for: <sup>estimates.</sup>

(a) The interest on money borrowed;

(b) The expense of maintaining, improving and managing the lands, buildings and works under its control;

(2) The Board shall report its estimate to the council not <sup>Report</sup> later than the 15th day of February in each year.

(3) The council shall, in addition to all other rates and <sup>Special</sup> assessments for municipal purposes, levy and assess in every <sup>rate.</sup> year a special annual rate, sufficient to furnish the amount required for the year, but not exceeding one-half mill on the dollar upon the assessed value of all rateable real and personal property. Such rate shall be called "The Recreation Fund Rate," and shall be deemed to be included in the limit of two and one-half cents on the dollar authorized by *The Consolidated Municipal Act, 1922.*

(4) All money realized or payable under this Act shall be <sup>Income and</sup> received by the treasurer of the municipality in the same <sup>expenditure.</sup>

manner

manner as other money, and shall be by him deposited to the credit of the recreation fund and shall be paid out by him on the orders of the Board.

Policeing.

**15.** The Board of Commissioners of Police of the city of Windsor shall upon the request of the Board of recreation management detail for service in any of the properties under the care or control of the recreation Board, so many of the police force as the Board of Police Commissioners may deem necessary to maintain order and protect property therein; and any police constable may remove therefrom any person violating any of the provisions of this Act.

## CHAPTER 138.

## An Act respecting the Township of East York.

*Assented to 17th April, 1924.*

**W**HEREAS the corporation of the township of East Preamble.  
 York has by its petition represented that it is in the  
 interests of the corporation to obtain powers in addition  
 to those conferred by *An Act respecting the Township of York*,  
 passed in the twelfth and thirteenth years of the reign of  
 His Majesty, King George the Fifth, chaptered 139, (a) To  
 levy the whole cost or part of the cost of the construction,  
 operation and maintenance of sewers and sewage disposal  
 works as provided for in the said Act, upon the sections and  
 areas benefited thereby either by a special rate on all rateable  
 property therein or partly as a local improvement and partly  
 as a special rate on such sections or areas; (b) To jointly  
 construct sewage disposal works with one or more munici-  
 palities; (c) To confer upon the local board of health of the  
 township certain powers contained in *The Public Health Act* Rev. Stat.  
c. 218.  
 and conferred therein upon the local board of health for  
 cities; (d) To instal sanitary conveniences and sewer connec-  
 tions where deemed advisable; and whereas it is expedient  
 to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and  
 consent of the Legislative Assembly of the Province of  
 Ontario, enacts as follows:—

1. This Act may be cited as *The Township of East York* Short title.  
*Act, 1924.*

2. The corporation of the township of East York may Authority  
to pass  
by-laws.  
 pass by-laws;

- (a) To provide such part of the cost of the construction Sewers.  
 of all sewers or sewerage systems, as provided for  
 in section 3 of the Act passed in the twelfth and  
 thirteenth years of the reign of His Majesty, King  
 George the Fifth, chaptered 139, as shall be deter-  
 mined by a vote of three-fourths of all the members  
 of the council, shall be raised by a certain sum per  
 foot frontage specially assessed upon the land

abutting

Rev. Stat.  
c. 193.

abutting directly on the work as a local improvement under the pursuant to the provisions of *The Local Improvement Act*, except where inconsistent with and contrary to the powers herein contained, and that the remainder of the cost of such sewers or sewerage system and cost of maintenance thereof shall be raised by a special rate on all the rateable property in such defined section or area and shall not be borne by the corporation at large and that the amount of reduction provided by section 24 and the amount of exemption provided for by section 48 of *The Local Improvement Act* shall not be chargeable upon the land liable to be specially assessed, or to the corporation at large, but shall be levied by a special rate on all the rateable property in such defined section or area of the municipality.

Extension  
or amal-  
gamation of  
areas.

- (b) To enlarge and extend or to reduce from time to time any such defined section or area of the municipality by adding thereto or deducting therefrom such portion or portions of the said municipality as may be described in a petition to or designated by the council: To amalgamate any two or more defined sections or areas or parts thereof; and to provide that the cost of acquiring, constructing and extending any works or undertaking pursuant to the powers given by this Act or by section 3 of the Act passed in the twelfth and thirteenth years of the reign of His Majesty, King George the Fifth, chaptered 139, shall be levied upon, chargeable to, and payable by and from the real property in such section or area as so enlarged or amalgamated as provided in clause *a* hereof or by the defined section or area by which such first defined section or area is enlarged as provided in clause *a* hereof.

Domestic  
and storm  
sewers.

- (c) To provide that where it is necessary to instal a separate domestic sewer and a separate storm sewer such part of the cost of the construction of either or both such sewers as shall be determined by a vote of three-fourths of all the members of the council shall be raised partly by a certain sum per foot frontage specially assessed and partly by a special rate on all the real property in such defined section or area as provided in clause *a* hereof.

Reciprocal  
sewage  
agreements  
with adjoin-  
ing municipi-  
alities.

3. The council of the township of East York and the council of any adjoining municipality may arrange terms and enter into agreements for admission of sewage from the township into the sewers and works of such adjoining municipality into the sewers and works of the township or

for the joint construction, operation and maintenance of sewage disposal works for any defined section or area of the township, and may charge the cost, or such portion thereof as the township may determine by a special rate on all rateable property in such defined section or area, of and incidental to such arrangements or agreed to be paid thereunder, to the area or section benefited thereby.

4. The corporation of the township of East York may Authority to pass by-laws. pass by-laws:

(a) To provide for borrowing from time to time on the credit of the corporation at large as the work, specified herein or in section 3 of the Act passed in the twelfth and thirteenth years of the reign of His Majesty, King George the Fifth, chaptered 139, proceeds, such sums of money as may be necessary to defray the owners' portion of the cost as defined by *The Local Improvement Act* or under the powers granted by the Act passed in the twelfth and thirteenth years of the reign of His Majesty, King George the Fifth, chaptered 139, or under this Act of any sewer or sewerage system and issue debentures for the sums so borrowed for such purpose to be payable within the lifetime of the work. Borrowing money for owners' portion of cost of sewerage system.

(b) The said corporation may also from time to time borrow on the credit of the corporation at large as the work proceeds such sums of money as may be necessary to defray the remainder of the cost of sewers or sewerage system after deducting the amounts to be raised under clause a, but including sewage disposal works, if any, and to issue debentures for the sums so borrowed payable in a period not exceeding forty years. Borrowing money for balance of cost.

(c) Each instalment of principal in respect of the debentures herein authorized may be for an even one hundred dollars, five hundred dollars, or one thousand dollars, or multiple thereof, and notwithstanding anything herein contained, the annual instalments of principal and interest may differ in amount sufficiently to admit thereof. Denomination of debentures.

5.—(1) Where a sewer has been or may hereafter be constructed pursuant to the powers herein, or pursuant to the powers contained in section 3 of the Act passed in the twelfth and thirteenth years of the reign of His Majesty, Private drain connections.

King

King George the Fifth, chaptered 139, the council by a vote of two-thirds of all the members thereof at any general or special meeting may undertake the construction of private drain connections from the sewer to the street line or to any building situate on the land forming part of the street line on either or both sides, as a local improvement without any petition therefor and the cost of each private drain connection shall be specially assessed, pursuant to the provisions of *The Local Improvement Act*, upon the particular lot for or in connection with which it is constructed, and the owner of the land shall not have the right of petition provided for by section 13 of *The Local Improvement Act*, and the provisions of subsection 3 of section 4 of *The Local Improvement Act*, shall as far as applicable and not in conflict with this Act, apply.

Deferred  
payment of  
cost of sani-  
tary con-  
veniences.

(2) Where the local board of health of the said township recommends that sanitary conveniences should be installed in any building and is of the opinion that the owner of the premises is unable to pay the expenses of the same at once the municipality may instal suitable sanitary conveniences at the expense of the owner and the council may direct that the cost, including interest at six per centum on the deferred payments be paid for by the owner in equal successive annual payments extending over a period not exceeding five years and that such annual payments be added by the clerk of the municipality to the collector's roll and collected in like manner as municipal taxes.

Application  
of Rev. Stat  
c. 193.

6. Except in so far as they are inconsistent, all the provisions of *The Local Improvement Act* shall apply to any works undertaken under the provisions of this Act, or of the Act passed in 1922, chaptered 139.

## CHAPTER 139.

An Act respecting the Township of  
North York.*Assented to 17th April, 1924*

**W**HEREAS the corporation of the township of North York has by its petition represented that the trustees of the police village of Kingsdale presented a resolution to the council of the township of North York desiring said council to apply to the Legislature of Ontario for an Act to dissolve the police village of Kingsdale and pursuant to the said resolution the said council of the township of North York did submit the question to the municipal electors of the said police village of Kingsdale and by a vote of thirty-four to ten the electors in the said police village of Kingsdale voted in favour of the dissolution of the said police village; and whereas, the said police village was erected by an Act passed in the sixth year of the reign of His Majesty, King George the Fifth, chaptered 75, and for the purpose of carrying out the wish of the municipal electors in the said police village it is advisable that the said Act be repealed and that the territory comprised in said police village be added to Hydro-Electric System Area Number One of said township; and whereas, the corporation has further represented that By-law No. 111 of said township being a by-law respecting the construction of water mains in Water Area Number One in the said township should be confirmed; and whereas it is expedient to grant the prayer of the said petition;

Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Township of North York Act, 1924.* Short title.

2. The Act passed in the sixth year of the reign of His Majesty, King George the Fifth, chaptered 75, entitled an Act to erect the police village of Kingsdale is hereby repealed. 1916, c. 75, repealed.

Hydro-  
Electric  
System.

**3.** It is hereby declared that the territory comprised in the said police village of Kingsdale forms part of the Hydro-Electric System Area Number One of said township and that the cost of the private lines taken over by the township within the said police village shall be taken and deemed as part of the capital cost of the Hydro-Electric System Area Number One.

Assets of  
village  
vested in  
township.

**4.** All the assets of the said police village of Kingsdale are hereby vested in the corporation of the township of North York and the said corporation shall assume all the liabilities of the said police village.

By-laws  
of town-  
ship.

**5.** All by-laws of the township of North York heretofore passed applicable thereto shall be in force within the territory comprised within the said police village.

Wrights  
Limited.

**6.** Nothing herein contained shall in any way exempt Wrights Limited from completing all matters undertaken by them in accordance with their various contracts of sale entered into with the different owners of land in the subdivisions comprising the said police village of Kingsdale or release them from any obligation arising out of any such contract of sale and nothing in this Act contained shall be construed to render the council of the township of North York responsible for any such undertaking or obligation.

By-law No.  
111, Town-  
ship of  
North  
York con-  
firmed.

**7.** By-law No. 111 of the corporation of the township of North York passed on the 14th day of January, 1924, respecting the construction of water mains in Water Area Number One in said township set out in Schedule "A" hereto, is hereby confirmed and declared to be valid and binding on the corporation of the township of North York and the ratepayers thereof.



## SCHEDULE "A".

## TOWNSHIP OF NORTH YORK.

## BY-LAW No. 111.

A by-law respecting the construction of Water Mains in Water Area No. 1.

Whereas, the Township of North York has heretofore established Water Area No. 1, has erected a waterworks plant therefor, and has constructed water mains therein upon the streets, between the points, and of the diameters as set forth in columns 1, 2, 3 and 4 of Schedule "A" hereto annexed, as local improvements under the provisions of the Local Improvement Act.

And whereas, it is the intention of the said Township to construct additional water mains from time to time in the said area, as local improvements under the provisions of the Local Improvement Act.

And whereas, it is desirable to ratify and confirm the construction of the water mains referred to in Schedule "A" hereto, and to provide for the payment by the said water area at large of part of the cost of said water mains and other water mains to be constructed from time to time in said area.

Now therefore the Municipal Council of the Corporation of the Township of North York enacts as follows:—

1. That the establishment of Water Area No. 1, the erection of the waterworks plant therefor, and the construction of the water mains in Water Area No. 1 on the streets, between the points, and of the diameters as set forth in Schedule "A" hereto annexed, is hereby ratified and confirmed and declared to be legal, valid and binding upon the corporation and the ratepayers and property owners thereof.

2. The Council may from time to time pass by-laws to provide for the construction of additional water mains in said Water Area No. 1, as local improvements under the provisions of the Local Improvement Act.

3. The Corporation's portion of the cost of the water mains referred to in Schedule "A" hereto and of such additional water mains as are from time to time authorized and constructed pursuant to the provisions of this by-law shall include:

(a) That part of the cost of the water mains which is designated Corporation's portion of the cost by the provisions of the Local Improvement Act, and

(b) In the case of water mains exceeding six inches in diameter, that portion of the cost representing the difference in cost between such water main and a water main of six inches in diameter.

4. The Corporation's portion of the cost of the water mains referred to in Schedule "A" hereto and such additional water mains as are from time to time constructed in said water area pursuant to the provisions of this by-law shall be levied and collected by a special rate on the dollar on all the rateable property in said Water Area No. 1, and the remainder of the cost of such water mains shall be specially assessed against the lots fronting or abutting on the work, as provided by the Local Improvement Act.

5. This by-law shall take effect on the day of the final passing thereof.

Finally passed this 14th day of January, 1924.

R. F. HICKS,  
*Reeve.*

(Township Seal.)

H. D. GOODE,  
*Clerk.*

*Schedule*

*Schedule "A."*

Street	From	To	Nature of Work
Spring Garden Road	Yonge St.	Doris Ave.	6'' water main
Burnett Ave.	Yonge St.	Senlac Road	6'' " "
Bathurst St.	Bedford Ave.	Douglas Ave.	6'' " "
Hounslow Ave.	Yonge St.	Kensington Road	6'' " "
Humberstone Ave.	Bayview Ave.	Yonge St.	12'' " "
Yonge St.	Humberstone Ave.	Drewry Ave.	10'' " "
Yonge St.	Drewry Ave.	Townline	8'' " "
Yonge St.	Humberstone Ave.	Old Yonge St.	10'' " "
Old Yonge St.	Yonge St.	Donino Ave.	10'' " "
Donino Ave.	Old Yonge St.	Donwoods Ave.	10'' " "
Donwoods Ave.	Donino Ave.	Yonge St.	10'' " "
Brooke St.	Yonge St.	Lochiel Ave.	8'' " "
Bedford Ave.	City Limits	Bathurst St.	6'' " "
Woburn Ave.	City Limits	Bathurst St.	6'' " "
Kelso Ave.	Paisley Ave.	Haddington Ave.	6'' " "
Brooke St.	Lochiel Ave.	Avenue Road	8'' " "
Pinewood Ave.	Hollywood Ave.	South limit of Lot 10	6'' " "
Pinewood Ave.	Mercer Ave.	Hollywood Ave.	8'' " "
Harlandale Ave.	Yonge St.	Senlac Road	6'' " "
Elmhurst Ave.	Yonge St.	Senlac Road	6'' " "
Burndale Ave.	Yonge St.	Senlac Road	6'' " "
Horsham Ave.	Yonge St.	Talbot Road	6'' " "
Pemberton Ave.	Yonge St.	Lillian Ave.	6'' " "
Olive Ave.	Yonge St.	Lillian Ave.	6'' " "
Paisley Ave.	Avenue Road	Clyde Ave.	8'' " "
St. Ives' Cres.	Cheltenham Ave.	Rochester Ave.	6'' " "
St. Leonard's Cres.	St. Leonard's Ave.	Dawlish Ave.	6'' " "
Snowden Ave.	Lot 64	Lot 66	6'' " "
Donino Ave.	Donwoods Drive	South limit of Lot 70	6'' " "
Ivor Road	Donwoods Drive	West limit of Lot 12	6'' " "
Ledbury Road	Bedford Ave.	Sunshine Blvd.	8'' " "
Sunshine Blvd.	Ledbury Road	Clyde Ave.	8'' " "
Clyde Ave.	Sunshine Blvd.	Paisley Ave.	8'' " "

## CHAPTER 140.

## An Act respecting The Township of York.

*Assented to 17th April, 1924.*

**W**HEREAS the corporation of the township of York has Preamble.  
by its petition prayed for special legislation in regard  
to the matters hereinafter set forth; and whereas it is ex-  
pedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and  
consent of the Legislative Assembly of the Province of  
Ontario, enacts as follows:—

**1.** This Act may be cited as *The Township of York Act*, Short title.  
1924.

**2.—(1)** Clause *c* of subsection 2 of section 4 of *An Act* 1922, c. 139,  
*respecting the Township of York* passed in 1922 and chaptered s. 4, subs. 2,  
139, is amended by adding at the end thereof the following cl. c. amend-  
ed.  
words: “but it shall not be necessary to levy any such special  
rate in any year except to the extent to which the revenue  
derived from the operation of the railway is insufficient to  
cover the full cost of operation, including maintenance and  
renewals and all capital and debt charges as provided by  
subsection 6.”

(2) Subsection 3 of section 4 of the said Act is amended 1922, c. 139,  
by inserting at the end thereof the following words: “Pro- s. 4, subs. 2,  
vided that any agreement authorized by this section may be cl. c. amend-  
ed.  
entered into for the construction and operation of a street  
railway in that district of the said township included in  
polling subdivisions 36 to 49 and 51 to 67 and in that district  
included in polling subdivisions 81 to 86 all as established or  
used for the purpose of voting at the municipal elections  
of the said township on the first day of January, 1924, with out  
obtaining the assent of the electors qualified to vote on money  
by-laws in either of the said districts.”

(3) Subsection 4 of section 4 of the said Act is amended 1922, c. 139,  
by adding at the end thereof the following words: “Provided, s. 4, subs. 4,  
amended.

however,

however, that it shall not be necessary to obtain the assent of the electors qualified to vote on money by-laws in that district of the said township included in polling subdivisions 36 to 49 and 51 to 67 and in that district included in polling subdivisions 81 to 86 all as established or used for the purpose of voting at the municipal elections of the said township on the first day of January, 1924."

Wards.

**3.**—(1) The council of the corporation of the township of York may pass a by-law dividing the said township into three wards, having such boundaries as it may deem expedient. The said wards shall be numbered one to three.

Council

(2) In the event of such by-law being passed, the council shall at and from the next election thereafter consist of a reeve, who shall be elected by a general vote, and three deputy reeves and three councillors. One deputy reeve and one councillor shall be elected from each ward by vote of the municipal electors entitled to vote in such ward. The deputy reeve elected from ward number one shall be known as the first deputy reeve; the deputy reeve elected from ward number two shall be known as the second deputy reeve, and the deputy reeve elected from ward number three shall be known as the third deputy reeve.

Nomination:  
ballot  
papers.

(3) The nomination of candidates for deputy reeve and councillors in the wards shall be held at the same time and place as the nominations for reeve. There shall be prepared one set of ballot papers for all polling subdivisions, containing the names of the candidates for reeve, and another set containing the names of the candidates for deputy reeve and councillor, for each ward. The form of ballot papers shall *mutatis mutandis* be according to Form 3 set out in *The Consolidated Municipal Act, 1922*.

1922, c. 72.

Commence-  
ment of  
by-law.

(4) Any by-law for the purposes mentioned in this section shall be passed not later in the year than the 1st day of November, and shall take effect at and for the purpose of the annual election next after the passing thereof.

1922, c. 139,  
s. 3, subs. 1,  
amended.

**4.**—(1) Subsection 1 of section 3 of an Act intituled *An Act respecting the Township of York* passed in 1922, and chaptered 139, is amended by adding the following clause:

(e) To enlarge and extend from time to time any defined section or area of the municipality by adding thereto such portion or portions of the said municipality as may be described in a petition to or designated by council or to amalgamate any two or more defined sections or areas or parts thereof, and to

provide

provide that the cost of constructing and extending any works or undertaking, pursuant to the powers given by this section, shall be levied upon and from the real property in such area as so enlarged or amalgamated.

(2) Subsection 3 of the said section 3 is repealed and the following subsections substituted therefor: 1922, c. 139, s. 3, subs. 3, amended.

(3) Such debentures may be issued repayable on the instalment or sinking fund plan, and if issued on the sinking fund plan, it shall not be necessary to raise any money to provide a sinking fund for the retirement of the debentures until after the expiration of ten years from the date of the issue thereof. Repayment of debentures.

(4) The council of the corporation of the township of York, and the council or councils of any adjoining municipality or municipalities may enter into agreements for the admission of sewage from the said township of York into the sewers or works of such adjoining municipality or municipalities, and all costs, charges and expenses in connection therewith may be levied on all the rateable property in the area or section benefitted thereby. Agreements respecting admission of sewage into systems adjoining municipalities.

(5) The council of the corporation of the township of York may enter into agreements with the council or councils of any adjoining municipality or municipalities for the admission of sewage from such adjoining municipality or municipalities into the sewers and works of the said township of York, and in such event the revenue arising therefrom shall be credited to the area or section of the township into whose sewers or works the sewage is admitted. Agreements respecting admission of sewage into township system.

(6) The council of the corporation of the township of York may enter into a joint agreement with any adjoining municipality or municipalities for the construction, operation and maintenance of a sewage disposal works or plant, and appliances and accessories in connection therewith, on such terms and conditions as may be by them mutually agreed. The cost of constructing, extending, operating and maintaining the said sewage disposal works or plant and appliances and accessories shall be levied on all the rateable property in such portion of the township Agreements respecting construction of sewerage works.

as the council shall by by-law determine and the revenue payable to the township under any agreement entered into as authorized by this subsection shall be credited to the portion of the township which has been charged with the cost of constructing, extending, operating and maintaining the said sewage disposal works or plant.

Application.  
Rev. Stat.  
c. 193.

- (7) All the provisions of *The Local Improvement Act* shall apply to this section, except in so far as the same are inconsistent or at variance herewith.

1916, c. 100,  
§ 2,  
amended.

**5.**—(1) Section 2 of an Act intituled *An Act respecting the Township of York* passed in 1916, and chaptered 100, is amended by inserting after the words "waterworks system" in the fourth line the following words: "and of a waterworks plant and appliances and accessories in connection therewith."

Commence-  
ment  
of amend-  
ment.

- (2) The said section 2 as hereby amended shall be deemed to have been in force as from and after the 1st day of January, 1917.

Tax sales  
and deeds  
confirmed.

**6.**—(1) All sales of lands within the township of York and prior to the 31st day of December, 1921, which purport to have been made by the corporation of the said township for arrears of taxes in respect of the lands so sold are hereby validated and confirmed, and all conveyances of lands so sold, executed by the reeve and treasurer of the said corporation, purporting to convey the said lands so sold to the purchaser thereof, or his, her, or their assigns, are hereby validated and confirmed, and shall have the effect of vesting the lands so sold or conveyed or purporting to be sold or conveyed in the purchaser, or his, her, or their assigns, in fee simple free and clear of and from all right, title and interest whatsoever of the owner or owners thereof at the time of such sale or his, her, or their assigns and all charges and encumbrances thereon and dower therein, except taxes accrued or accruing since those for which payment whereof the said lands were sold.

Purchase  
by cor-  
poration

- (2) Subsection 1 of this section shall extend and apply to cases where the said township or any person or persons in trust for it, or on its behalf, became the purchaser or the assignee of a purchaser of lands at any such tax sale.

Pending  
litigation  
not affected

- (3) Nothing in this section contained shall affect any action or litigation now pending, but the same may be proceeded with, and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

**7.** Section 1 of *An Act respecting the Township of York*, <sup>1916, c. 100,</sup> passed in 1916 and chaptered 100, is amended by adding <sup>s. 1, amend-</sup> thereto the following clauses:

- (e) To enlarge and extend from time to time any defined section of the municipality by adding thereto such portion or portions of the said municipality as may be described in a petition to or designated by council, or to amalgamate any two or more defined sections or parts thereof, or to reduce, subdivide, vary or alter any defined sections, and to provide that the cost of constructing, extending and maintaining any works undertaken in any section established pursuant to the provisions of this clause shall be levied only upon and from the rateable property in such section, provided that where such section contains a part only of a pre-existing section or sections, such new section shall not be liable for the cost of any works undertaken in the remaining part or parts of such pre-existing section or sections subsequent to the establishment of such new section under the provisions of this clause;
- (f) Where a part of the township consisting of a defined section or sections or parts thereof is or has been incorporated as an urban municipality, then in the event of the said part of the township so incorporated including a part only of a defined section, the part remaining within the township shall constitute a defined section by the same designation as before the incorporation;
- (g) Where a waterworks system has been constructed for the benefit of any defined section or area of the township and thereafter an urban municipality is incorporated including a part of such defined section or area that part of the system within the urban municipality shall be deemed to be a waterworks system constructed by the urban municipality.

**8.** By-law No. 5126, of the municipal corporation of the township of York, passed on the 10th day of August, 1920, to authorize the construction, maintenance and operation of a main or water pipe in certain parts of sections A and B in the said township of York is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

**9.** By-law No. 5257 of the municipal corporation of the township of York passed on the 21st day of April, 1921, to authorize the construction, maintenance and operation of a

system of waterworks in a defined section or area of the said township of York, known as waterworks section "C" is hereby ratified, confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law  
No. 6169,  
Township  
of York,  
confirmed.

**10.** By-law No. 6169 of the municipal corporation of the township of York passed on the 12th day of December, 1921, to authorize the construction, maintenance and operation of a main or waterpipe in certain parts of waterworks section "A" in the said township of York, is hereby ratified, confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law  
No. 7190,  
Township  
of York,  
confirmed.

**11.** By-law No. 7190 of the municipal corporation of the township of York, passed on the 18th day of June, 1923, to provide for the issue of debentures for the sum of \$176,352.58 to pay for the construction of certain sidewalks and a street extension, and the debentures issued or to be issued thereunder are hereby declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law  
No. 6152,  
Township  
of York,  
confirmed.

**12.** By-law No. 6152 of the municipal corporation of the township of York passed on the 12th day of February, 1924, to amend By-law No. 5257, providing for the construction of a watermain in waterworks section "C" in the said township of York, is hereby ratified, confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law  
No. 7539,  
Township  
of York,  
confirmed.

**13.** By-law No. 7539 of the municipal corporation of the township of York passed on the 27th day of February, 1924, to provide for the issue of debentures for the sum of \$106,407.63 to provide for the cost of certain works in waterworks section "C" and the debentures to be issued thereunder are hereby declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-  
ment of  
Act.

**14.** Sections 1 to 11 of this Act shall come into force on the day upon which it receives the Royal Assent.



## CHAPTER 141.

## An Act respecting The London Street Railway Act.

*Assented to 17th April, 1924*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. To remove doubts it is hereby declared that the provisions of chapter 141, of the Acts passed in 1922, intituled *An Act respecting The London Street Railway* shall only apply up to the eighth day of March, 1925, and from and after the said eighth day of March, 1925, the said Act shall be and the same is hereby repealed.

Application and repeal of 1922, c. 141.

## CHAPTER 142.

## An Act respecting The Midland Simcoe Railway Company.

*Assented to 17th April, 1924.*

Preamble.

**W**HEREAS The Midland Simcoe Railway Company was incorporated under the name of The Midland Terminal Railway Company by an Act passed in the third year of the reign of His late Majesty King Edward the Seventh, chaptered 105, with the powers therein set forth; and whereas by an Act passed in the second year of the reign of His Majesty King George the Fifth, chaptered 140, the name of the said company was changed to The Midland Simcoe Railway Company, and it was granted power to construct an extension of its line of railway as therein set forth; and whereas the said company has by its petition prayed for an extension of time for the completion of its said original line of railway and for the commencement and completion of the said extension of its line of railway, and for authority to issue securities to an amount not exceeding \$60,000 per mile of single track of each of the said lines of railway constructed or under contract to be constructed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Midland Simcoe Railway Company Act, 1924.*

1912, c. 140,  
ss. 3 and 5,  
repealed.

**2.** Sections 3 and 5 of the Act passed in the second year of the reign of His Majesty King George the Fifth, chaptered 140, are repealed.

Completion  
of railway  
authorized  
by 1903, c.  
105, in five  
years.

**3.** The railway authorized by the said Act passed in the third year of the reign of His late Majesty King Edward the Seventh, chaptered 105, shall be completed within five years after the passing of this Act, and if the construction of the railway authorized by the said Act is not completed, and if the railway so authorized is not put in operation within five years after the passing of this Act, then the powers granted

to the said company by the said Act and by this Act shall cease and be null and void as respects so much of the railway authorized by the said Act as then remains uncompleted.

4. The railway authorized by section 4 of the Act passed in the second year of the reign of His Majesty King George the Fifth, chaptered 140, shall be commenced within two years and completed and put in operation within five years after the passing of this Act, and if the construction of the said railway is not commenced within two years after the passing of this Act, or if the said railway is not completed and put in operation within five years after the passing of this Act, then the powers granted to the company with respect to the said railway shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Completion of railway authorized by 1912, c. 140 within five years.

5. Section 19 of the said Act passed in the third year of the reign of His late Majesty King Edward the Seventh, and chaptered 105, is repealed.

1903, c. 105, s. 19, repealed.

6. The company may issue bonds, debentures or other securities to the extent of \$60,000 a mile of single track of its railway constructed or under contract to be constructed.

Authority to borrow money for construction.

7. Subject to the provisions of this Act the said Act passed in the third year of the reign of His late Majesty King Edward the Seventh, chaptered 105 and the said Act passed in the second year of the reign of His Majesty King George the Fifth, chaptered 140, are declared to be and to have been in force from the respective dates of the passing thereof, notwithstanding any neglect or default on the part of the company in complying with any of the provisions of the said Acts or either of them and anything required to be done by the said Acts or either of them may be done after the passing of this Act.

Certain Acts declared to be in force.

## CHAPTER 143.

An Act respecting The Ottawa Electric  
Railway Company.

*Assented to 17th April, 1924.*

Preamble.

**W**HEREAS The Ottawa Electric Railway Company has by petition represented that it operates an electric railway in and about the City of Ottawa in the Province of Ontario; that the corporation of the City of Ottawa and the said company have executed the agreement set forth in schedule "A" hereto; that the said agreement received the assent of the electors of the said city on the 7th January, 1924, and the said company by the said petition has prayed that an Act be passed ratifying and confirming By-law No. 5687 of the said corporation of the City of Ottawa being a by-law whereby the said agreement is approved and confirmed and the execution thereof authorized; and declaring the said agreement legal and binding upon the parties thereto and empowering the said parties to carry out their respective obligations and exercise their respective privileges thereunder; and whereas it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Ottawa Electric Railway Company Act, 1924.*

By-law  
5687  
confirmed.

**2.** By-law No. 5687 of the corporation of the City of Ottawa, dated 24th January, 1924, set forth as schedule "A" hereto is confirmed and declared to be legal, valid and binding.

Agreement  
between  
city and  
company  
confirmed.

**3.** In so far as this Legislature has power to enact and subject to section 4, the agreement between the corporation of the City of Ottawa and The Ottawa Electric Railway Company, dated 25th January, 1924, annexed to the said by-law, is hereby confirmed and declared to be legal, valid and binding upon the parties thereto, and the said parties

are hereby empowered to carry out their respective obligations and exercise their respective privileges thereunder.

4. Notwithstanding anything to the contrary contained in the agreement set out as schedule "A" hereto or in the Act passed in 1894 and chaptered 76 or in the agreement confirmed by that Act, the land, property and business of The Ottawa Electric Railway Company shall be liable to taxation for school purposes on the full assessable value thereof according to the provisions of *The Assessment Act*; but the said corporation in each year shall credit the said company, as a payment on any other amount payable by it to the said corporation, the amount of taxes payable by it for school purposes from which it would have been exempt had this section not been passed, so that the taxes payable by the said company for all purposes shall not exceed the amounts payable by it had this section not been passed.

School  
taxes.

## SCHEDULE "A"

By-LAW No. 5687.

A by-law to authorize the execution of an Agreement between the Corporation and the Ottawa Electric Railway Company.

The Municipal Council of the Corporation of the City of Ottawa enacts as follows:—

1. That certain Agreement in writing, dated the 25th day of January, 1924, and made between the Corporation of the City of Ottawa of the one part, and the Ottawa Electric Railway Company of the other part (a true copy whereof is set out in Schedule "A" to this by-law) is hereby approved and confirmed.

2. The Mayor and the Clerk of the Corporation are hereby respectively authorized and directed to execute the said Agreement on behalf of the Corporation, and the Clerk shall affix the Corporate Seal thereto.

Given under the Corporate Seal of the City of Ottawa this 24th day of January, 1924.

(Sgd.) NORMAN H. H. LETT  
*City Clerk.*

(Sgd.) HENRY WATTERS,  
*Mayor.*

Certified a true copy of a by-law adopted by the Council of the Corporation of the City of Ottawa on the 24th day of January, 1924.

NORMAN H. H. LETT,  
*City Clerk.*

I certify that this is a true copy of an agreement executed between the parties thereto the 25th January, 1924.

G. L. SNELLING,  
*Secretary-Treasurer, The Ottawa Electric Railway Co.*

Agreement dated the 25th day of January, A.D. 1924.

Between:

THE CORPORATION OF THE CITY OF OTTAWA, hereinafter called the "City,"

Of the First Part,

And:

THE OTTAWA ELECTRIC RAILWAY COMPANY, hereinafter called the "Company,"

Of the Second Part.

Witnesseth that the parties hereto have agreed as follows:—

1. In this Agreement, unless the context shall otherwise require, the words:

(a) "Board" or "Board of Railway Commissioners" shall mean and include the Board of Railway Commissioners for Canada, and any other body subject to Federal jurisdiction that may at any time hereafter have either in whole or in part the powers of such board.

(b) "Five year period" shall mean each successive period of five years reckoned from and after August 13th, 1923.

(c) "School child" shall mean a child certified in writing to the Company to be under the age of fourteen years by a teacher in a public, or a separate school, or in a collegiate institute, or in such private schools as may be recognized by the Company and to be in attendance at such school.

(d) "Transportation system" shall mean any system for the operation of electric cars, either on metal tracks or without tracks, or for the opera-

tion of motor busses by gasoline, electricity or other power, except the force of animals, and any system for the operation of vehicles for the carriage of passengers, but shall not include vehicles chartered for special trips, such as cabs and taxi-cabs.

(e) "Track" shall have the meaning defined by clause 52 of the Agreement dated June 28th, 1893.

2. All written agreements, by-laws and statutes governing the relations between the parties hereto, and the powers of the Company, in so far as they are in force and effect on January 1st, 1924, shall remain in full force and effect, except in so far as they are, or may become, inconsistent with or altered by, or under, the terms of this agreement.

3. (a) The Company shall build all those certain track extensions and new lines of street railway (referred to on pages 28 to 33 inclusive of the printed report of R. M. Feustel, dated September, 1922, annexed hereto as Schedule "B") described in Schedule "A" hereto, in accordance with the terms of said Schedule "A".

(b) The Company will also carry out in the years specified in such report the recommendations contained therein as to matters other than track extensions and additions, which recommendations are contained in Schedule "B" hereto.

(c) Whenever and so often as the City shall, during any five year period, propose that the Company shall extend the lines of its transportation system, the City shall notify the Company not later than eighteen (18) months before the expiration of the current five year period of such desire, and upon failure of the parties to agree within two (2) months after such notice, the question whether such work shall be done shall be forthwith submitted to a Board of three (3) arbitrators for arbitration, under The Arbitration Act (Ontario) as it now stands. The award of any such Board of Arbitration shall be null and void, unless it is made at least one year before the expiration of the said current five year period, notwithstanding the provisions of any Act to the contrary.

(d) The Company shall not be obliged to make any extensions, or to add to its equipment, after receiving notice from the City of its intention to purchase under the agreement dated June 28th, 1893, now in force between the parties.

(e) In the event of the Company being prevented by the act of God, strikes, the King's enemies or other like cause beyond its control, from completing any of the works which under this agreement the Company undertakes to construct, or which it may hereafter agree or be directed to construct within such respective periods of time as are now or may hereafter be fixed for such purpose, the Company will provide during such delay, other suitable means of transportation for the district to be served by such proposed additional or extended lines.

4. (a) Five cents for adults and for children over 51 inches in height; three cents for children under 51 inches in height; and twenty trips for fifty cents for school children (which last mentioned tickets shall be good only between the hours of 7 a.m. and 5 p.m.), shall be the fares for the transportation of passengers from one point to another on the Company's transportation system, within the areas hereinafter in this clause described, except between the hours of twelve o'clock midnight and six a.m. during which time not more than ten cents shall be the fare for all passengers.

(b) Notwithstanding any provision of the Railway Act (Canada) 1919, or of any subsequent Act amending the same, or of any order-in-council made thereunder, the above fares shall not be altered until the 13th day of August, 1928, and then only if such alteration is permitted in accordance with clause 9 hereof and only while such alteration remains in force.

(c) The fares specified in sub-clause (a) of this clause shall be in force (1) on the Company's transportation system now or hereafter constructed

or operated within the present limits of the City and (2) on that part of the Company's existing lines outside the limits of the City that runs to Cloverdale Avenue in Rockcliffe Park, and (3) upon such lines as are now or as may hereafter be constructed into the Central Experimental Farm, and (4) on the present lines of the Company in the Province of Quebec and as far as, but not including, Main Street in the City of Hull.

5. During the term of this agreement and of the said agreement of June 28th, 1893, and of any extensions or renewals thereof, the City shall grant the Company exemption from taxation and all other municipal rates on its franchises, tracks, rolling stock and other personal property used in and about the working of the transportation system, also on the income of the Company from the working of the said transportation system. But this shall not apply to the real estate of the Company. This exemption shall apply to the tax known as Business Tax, it being the intention of the parties hereto that the Company shall under this supplementary agreement have the same exemption from taxation as it had during the first thirty years of the agreement of June 28th, 1893.

6. Regulation 11 of the schedule attached to the agreement dated June 28th, 1893, is hereby cancelled and declared to be no longer binding upon the Company. The Company may own and operate within the territory and on the lines referred to in sub-clause (c) of clause 4 hereof, such number of cars operated by one employee, as shall not exceed forty per cent. of the number of cars in operation on such part of the Company's transportation system from time to time. The introduction or the use of such cars upon the said system shall not cause any employee of the Company to lose his position or seniority with the Company. Employees operating such cars shall be paid at the rate of five cents per hour in excess of the wage rate current for motormen and conductors of like seniority from time to time.

7. The Company may operate its transportation system on Sundays within the limits of the City, as such limits may be from time to time, and the fares payable on Sundays shall be the same as those from time to time payable on week-days.

8. (a) The Company shall have and may exercise, during the term of this agreement, and of the said agreement of June 28th, 1893, and of any extension or renewal thereof, an exclusive franchise to construct, complete, maintain and operate within the limits of the City, as such limits may be from time to time, a transportation system, on the Company's present lines and any extensions or additions thereto, it being the intention of the parties hereto that the Company shall not be subject to competition in its business of transporting passengers whether such competition be in the nature of motor busses or otherwise.

(b) The City will not oppose applications by the Company for privileges to be exercised beyond the limits of the City as such limits may be from time to time.

(c) The Company will not object to the operation, within the limits of the City, as such limits may be from time to time, of motor busses running between any point within one-quarter mile of the City Hall and towns and villages whether incorporated or unincorporated outside the said limits, but no such motor buss shall convey passengers from one point within the said City limits to another point therein.

(d) The City shall pass such by-laws as the Company may request and as it lawfully may, to enable the Company to enforce the provisions of sub-clauses (a) and (c) of this clause, but the City shall not be obliged to enforce such provisions.

(e) Notwithstanding anything contained in this clause, during any and all times that the Company is prevented from regularly operating its lines for more than one day, the City may authorize the operation during such time of motor busses or other vehicles as public carriers.

(f) Nothing herein shall affect the right which any railway or other company may have, on January 1st, 1924, to operate a steam or an electric



railway wholly or in part within the City limits and to carry passengers or freight, but, except in the case of a steam railway, the City shall not renew or extend any such right upon its expiration.

(g) The franchise or right given by sub-clause (a) of this clause shall include the right to construct, maintain and operate such equipment and other things as are, or may become, usual or necessary in connection with a transportation system; subject, however, to the provisions of any by-law of the City now or hereafter passed respecting the zoning or the location of buildings.

9. (a) Should the Company consider that the revenue to be derived from the operation of the part of its transportation system within the City limits, as they may be from time to time, and from the other lines mentioned in sub-clause (c) of clause 4 hereof (hereinafter in this clause called "the said part") will be insufficient to provide during the five year period next succeeding the five year period then current, for the following items, viz., the cost of operating the said part and such portion of the cost of operating works in connection with the Company's transportation system as is properly chargeable to the said part, and of maintaining and keeping up the same in an efficient condition and of making proper provision for their depreciation, renewal and replacement, and for a just and reasonable return to the Company on the capital investment in the said part and on such portion of the capital investment in the said works as is properly chargeable to the said part, as such capital investments may be from time to time, the Company may notify the City in writing not later than one year before the end of any five year period, that it cannot profitably continue, after such period, the tariff of fares then in effect on the said part, and shall submit therewith a tariff of fares, and the tariff of fares to be effective during the next five year period shall thereupon be open for discussion between the parties hereto.

(b) Should no satisfactory adjustment be effected within one month after such notification, the Company may, at any time thereafter, apply to the Board of Railway Commissioners for authority to charge such an increased tariff of fares on the said part of the said system, during the next five year period as will produce a sum sufficient to provide in such period for the said items.

(c) Should the revenue to be derived from the operation of the said part appear likely to be more than sufficient, in the opinion of the City expressed by resolution, to provide during the five year period next succeeding the five year period then current, for the said items, then the City may notify the Company in writing, one year before the end of any five year period, that it considers the fares excessive, and if no satisfactory adjustment of the matter is made within one month after such notification, the City may apply to the Board for such a decrease in fares upon the said part during the next five year period as will allow a revenue not more than sufficient to provide for the said items.

(d) Whenever notice has been served by the Company or by the Corporation under clause 9 of this agreement, any accountant or engineer instructed by the Corporation by resolution shall have full right of access to the books, records, documents, vouchers and balance sheets of the Company, and shall have full right to examine the same, and to take extracts therefrom.

(e) The parties hereto shall accept the judgment or order of the Board made on any application under this clause, as final and binding, and shall not appeal therefrom.

(f) In the event of the Company making an application under this clause, and the City thereafter serving notice upon the Company of its intention to purchase the Company's property, as provided by clause 4 (b) of the agreement dated June 28th, 1893, it shall be a sufficient compliance with the last mentioned clause if the City shall give the Company six months' notice of such intention.

10. Clause 49 of the said agreement dated June 28th, 1893, is hereby cancelled and declared to be no longer binding on the Company.

11. In the event of it becoming necessary to build or rebuild, strengthen or extend any bridge, viaduct or subway, in order that any of the lines of railway, which the Company by this agreement undertakes, or may be required, to construct and operate, shall be constructed and operated under or over the same, if the parties hereto cannot agree as to the proportions in which the cost of building, rebuilding or extending such bridge, viaduct or subway shall be borne between the City and the Company, or as between the City and the Company and any other Company liable to contribute thereto, either party may apply to the Board for an order fixing and apportioning such cost, and the Company will pay such proportion of such cost as may be determined by such Board. The part of such works which the Company is ordered to pay for or to maintain shall be deemed to be a work in connection with the Company's system.

12. If the Corporation shall lay down or relay any pavement upon any street or part of street within such period of time as shall elapse, in any case, between the time when the City shall have first proposed or agreed to an extension of the tracks of the Company upon such street or part of a street, and the expiration of the period of time within which the Company has agreed to lay down the same, and if the laying or relaying of such pavement shall have the effect of increasing the cost which the Company would otherwise be put to in laying down its tracks and works thereon, such increase in the cost thereof shall be borne by the Corporation.

13. The parties hereto agree to join in applying to the Parliament of the Dominion of Canada and to the Legislature of the Province of Ontario for legislation confirming and ratifying this agreement, and declaring the same to be valid, legal and binding upon the parties hereto (the expense of such legislation to be borne by the Company).

14. If any permission, approval, confirmation or other thing necessary in order to make effective and valid the powers granted to the Company by this agreement shall not be obtained by the City, then this Agreement shall not be binding, and the parties shall be restored to their rights and legal positions as they existed immediately prior to the execution of this agreement, without having any claim for damages arising out of the failure to obtain such thing.

15. The Company may at the request of the City, to be expressed by by-law, substitute other streets or parts thereof for the purpose of reaching the objective points of the extensions referred to in Schedule "A".

16. Any Board of Arbitration appointed under clause 4 of the said agreement dated June 28th, 1893, shall consist of three arbitrators, and the constitution and procedure of such Board of Arbitrators shall be governed by The Arbitration Act (Ontario) as it now stands.

17. This agreement and all the terms and conditions of the said agreement of June 28th, 1893, not inconsistent herewith, or altered hereby, shall be binding upon the City and upon the Company, its successors and assigns, and upon any Company which may be now or shall hereafter operate the transportation system or any part or parts of the said system, authorized by either of the said agreements.

In witness whereof the parties hereto have hereunto affixed their seals attested to by their respective proper officers in that behalf.

City of Ottawa.  
Seal.

THE CORPORATION OF THE CITY OF OTTAWA.

Signed HENRY WATTERS,  
*Mayor.*  
Signed NORMAN H. H. LETT,  
*Clerk.*

THE OTTAWA ELECTRIC RAILWAY COMPANY.

Signed T. AHEARN,  
*President.*  
Signed G. L. SNELLING,  
*Secretary-Treasurer.*

Signed JNO. M. JACKSON,  
*Witness.*

*Schedule*

*Schedule "A".*

To be attached to and form part of agreement entered into between the Corporation of the City of Ottawa and the Ottawa Electric Railway, on 25th January, 1924.

## TRACK EXTENSIONS.

No. 1. Double track on Laurier Avenue from Nicholas Street to Elgin Street. Single track curve connecting west bound track on Queen Street with northbound track on Elgin Street.

No. 2. A double-track line by way of Pretoria Avenue, Bridge and Hawthorne Avenue to Main Street in Ottawa East and along Main Street to Clegg Street, with a single-track loop on Clegg, Glenora and Herridge Streets; such line to connect either with the Bank Street line by a single track by way of Pretoria Avenue or with the present terminus of the Elgin Street line.

No. 3. A double-track line on Bronson Avenue from Gladstone Avenue south to Findley Avenue, and a single-track loop on Findlay, Muriel and Centre Streets.

No. 4. Single track on Cobourg Street from the car barn north to connect with the existing loop at the corner of Cobourg and Murray Streets.

No. 5. Double tracks on Queen Street from Bank to Lyon Street, and on Lyon Street from Queen to Gladstone Avenue.

No. 6. Double tracks on Rideau Street from Charlotte Street to Cummings' Bridge and on the Montreal Road from Cummings Bridge to a point near its junction with Church Street.

No. 7. Double tracks on Beechwood Avenue from Crichton Street to Springfield Road with a single-track loop on Beechwood Avenue, Butternut Terrace, Maple Lane and Springfield Road.

No. 8. A single-track line on Ruskin Avenue from Holland Avenue past the new civic hospital to Fairmont Ave., and on Fairmont Avenue to Wellington Street.

A single track on Fairmont Avenue from its junction with Ruskin across Carling Avenue to join the existing Experimental Farm line.

No. 9. Double tracks on Wellington Street from Preston Street to the junction of Wellington and Somerset Streets at Garland's corner.

No. 10. Double tracks on Nicholas Street from Laurier Avenue to a point near the south corner of Varsity Oval and east on Templeton Street to Marlborough Avenue terminating in a small single-track loop.

No. 11. Double tracks on Main Street, Ottawa East, from Clegg to a point near the Rideau River, then bearing slightly west, terminating in a small single-track loop.

No. 12. Double tracks on Bank Street from Grove Street south and across Billings' Bridge on to the Bank Street Road to a point where it is proposed that a passenger railway station may be built sometime in the future.

## TIME OF CONSTRUCTION.

The above extensions to be constructed by the Ottawa Electric Railway Company, as follows:—

No. 1. Within a year after agreement is signed, providing that the sidewalk on Laurier Avenue is set back by the city to allow double-track construction.

No. 2. Within a year after written notice from the city is received by the company declaring which of the alternative routes mentioned in item No. 2 of track extensions, the city desires to have used, until such

extension is completed, the company will provide a bus service along the proposed route with fare and transfer privileges as on the other parts of the company's system within the city limits.

No. 3. Within a year after agreement is signed, providing the city extends Muriel Street south from Centre to Findlay Avenue. Pending the removal of the cross-town steam railway tracks at Bronson Avenue, this line to be connected by Powell Avenue with the existing tracks on Bell Street.

No. 4. Within a year after agreement is signed.

No. 5. Within two years after agreement is signed.

No. 6. Within two years after agreement is signed, provided the company has been given proper and acceptable authority to construct that part of the said extension which lies outside the City of Ottawa.

No. 7. Within two years after agreement is signed, contingent upon permission being obtained from the proper authorities for that part of the extension which lies outside the City of Ottawa.

No. 8. Within three years after agreement is signed, providing the city extends Ruskin Avenue east from Holland Avenue to Fairmont Avenue.

No. 9. Within three years after agreement is signed, providing the Wellington Street viaduct is reconstructed.

No. 10. Within four years after agreement is signed, providing the city extends Templeton Street west to Nicholas through the south corner of the Varsity Oval.

No. 11. To be submitted to arbitration before a Board of three arbitrators, to be appointed as provided, and exercising the powers conferred by The Arbitration Act (Ontario), to determine whether this extension is necessary or not, and also contingent on the city constructing a street through the Rideau Market Gardens.

No. 12. To be submitted to a Board of three arbitrators to be appointed as provided, and exercising the powers conferred, by The Arbitration Act (Ontario) to determine the necessity for this extension, and also contingent upon permission being obtained from the proper authorities for that part of the extension which lies outside the City of Ottawa.

*Schedule "B".*

To an agreement made between the Corporation of the City of Ottawa and the Ottawa Electric Railway Company, and dated the 25th day of January, 1924.

## OTTAWA ELECTRIC RAILWAY COMPANY.

## PROPOSED TRACK AND SERVICE EXTENSIONS.

At the close of the year 1893, the Ottawa Electric Railway system consisted of slightly more than 26 miles; this mileage may therefore be considered as the length of the original electric railway. From 1894 to 1913 inclusive, a period of twenty years, the net additions and extensions to the system amounted to a little more than 30 miles, averaging one and one-half miles per year. Owing to the world war, and since that time to the imminent expiration of the franchise, the total extensions since 1913 have amounted to only one mile.

Had normal conditions existed and extensions progressed at the rate of one and one-half miles per year, the system in 1922 would have amounted to 70 miles instead of approximately 58 miles as of to-day. In other words, the system is 12 miles behind its past programme of growth.

While the growth of the system has been retarded the population of the city has continued to increase, resulting in an increase in revenue passengers per year per mile of track from 423,300 in 1913 to 656,700 in 1921. The effect of this increase is an unusual congestion of cars in the centre of the city, especially on Sparks and Bank Streets, during the rush hours. This congestion so delays the service on all lines as to materially affect the travel of nearly all patrons of the system.

Steps should be taken so that the system may gradually catch up on its normal programme of growth, building additions and extensions, over say a five-year period, at a rate which will bring the system mileage to approximately what it would have been under normal and uninterrupted growth.

A study has been made of the city and its suburbs to determine the needs for extensions. This study indicates that there should be built, during the next five years, approximately 18 miles of new lines and that about one mile of the present system should be abandoned and removed, making a net addition of 17 miles. The system total would thus become, say in 1927, 75 miles, or approximately 3 miles less than it would be if the average growth shown for 20 years prior to 1914 had continued to and including 1927.

In order to keep from overburdening the electric railway company in the matter of these extensions, they have been divided into five groups; one group to be built each year. The problem of determining what extension shall be built first is more or less simplified if the needs of the greatest number of patrons is given greatest weight.

## EXTENSIONS DURING FIRST YEAR.

The first extension to be built should be a double track on Laurier Avenue from Nicholas Street to Elgin Street, and the connection of the westbound track on Queen Street with the northbound track on Elgin Street. This construction will permit more nearly equal division of east and west traffic between Sparks and Queen Streets and thus very materially reduce congestion in the centre of the town.

In order to build a double track on Laurier Avenue as mentioned, it will be necessary for the city to consider Laurier Avenue between Elgin Street and the approach of the bridge over the canal, making the street the same width from curb to curb, as at present on the bridge. This can best be done on the north side of the avenue, thus keeping the curbs in line with those on the bridge. This work will not necessitate the purchase of any property.

Under conditions existing in 1922, it is possible to operate cars on Queen Street, between Bank and Elgin Streets, eastbound only, so that Queen Street carries only about 22 per cent. of the normal service and 23 per cent. of the rush-hour service while Sparks Street must handle all westbound cars and is therefore very badly congested. The construction of the Laurier Avenue extension and connection of westbound track on Queen Street will permit Queen Street to carry 44 per cent. of both normal rush-hour service, effecting a very material relief to Sparks Street.

The second extension should be double track on Elgin Street from Argyle Avenue south, then east over the canal to Main Street and south to Clegg Street with a single-track loop on Clegg Street, Glenora Avenue and Herridge Street. This extension will care for some 3,000 people living in what is known as Ottawa East.

The third should be double track on Bronson Avenue from Gladstone Avenue south to Findlay Street and a single-track loop on Findlay, Muriel and Centre Streets. To build this loop it will be necessary for the city to open Muriel Street through from Centre Street to Findlay Street. It is recommended that the present grade crossing on Bronson Avenue with the railroad tracks be used until such time as the city decides to build a viaduct.

The present tracks on Gladstone and Bell Streets from Bronson Avenue to the end of the line at Powell Avenue should be removed. The wooden bridge over the railroad tracks will soon need rebuilding for, as it exists to-day, it is inadequate for the purpose and of an expensive type of bridge to maintain. The present patrons of the Bell Street line may be well served by the Bronson Avenue line and especially so if the city cuts through Flora Street from Bronson Avenue to Bell Street and Dolly Varden from Bell to Bronson Avenue. The opening of these streets is quite necessary for the proper expansion of the city, regardless of street car service.

To complete the construction for the first year of the proposed programme, a single track should be built on Cobourg Street from the carhouse north to connect with the present track on Cobourg Street at Murray Street. This short connection will materially increase the flexibility of the operation of the north-eastern portion of the system.

The construction recommended for the first year is about 4.5 miles or a net addition of about 4 miles of track at an estimated cost of \$174,380.

The company has been operating 113 cars in the evening rush period during the summer months of 1922. To continue operating the same number of cars during the winter of 1922-1923, will allow only eight cars as reserve equipment—a condition which will practically demand a curtailment of the present service. In order to give proper service at the peak of travel, both now and after the construction proposed for the first year, the company needs 15 additional cars, which will cost approximately \$270,000.

The company is already handicapped by lack of carhouse space and facilities. To properly care for the cars to be purchased under this programme of extensions it will be necessary to build either a new house or a large addition to one of the present carhouses, costing about \$100,000.

The total cost of new track, cars and carhouse will be \$544,380.

Relief of congestion in the central district by the construction of Laurier Avenue extension will entail a slight rerouting of cars. The same will be true, to a minor degree, in each of the following years of this programme; more particularly with regard to extension of suburban lines. The inevitable confusion due to rerouting in a small city where patrons are accustomed to a programme of service unchanged for many years, may be materially lessened by use of illuminated signs on the front and sides of all cars. New cars should be purchased equipped with these signs and steps taken to equip all old cars, particularly those to be used on lines which are being in any way changed as to route.



## EXTENSIONS DURING SECOND YEAR.

At the present time Bank Street, between Albert and Queen Streets, has the greatest amount of street car traffic of any street in the city. The proposed programme aims to relieve this in the second year of construction, by building double track on Queen Street between Bank and Lyon Streets and on Lyon Street from Queen Street to Gladstone Avenue, and operating all Bronson Avenue-Elgin Street cars on these new tracks. Special work should be installed on this extension at the intersection of Lyon and Somerset Streets so that some of the rush-hour service from Somerset Street may be diverted north on Lyon Street, thus making further relief to Bank Street during the rush-hour period.

This extension, and that on Laurier Avenue, will effect a marked improvement in the service through the central district of the city.

The sections known as Lindenlea and Eastview should be the next to receive car service. Extensions into these districts will also serve both Beechwood and Notre Dame cemeteries, and while travel to cemeteries is more or less confined to Sundays and holidays—and that during summer months—and would show little or no profit, it must be considered as a service which in some degree is due certain of those patrons who use other lines six days of the week. It is not intended that these two extensions should be built to the gates of the cemeteries, but by serving the population in these districts the lines will pass to within very short walking distances of the cemeteries.

The line into Eastview is of course outside the city limits and outside the franchise power of the City of Ottawa, but Eastview is practically a suburb of Ottawa and has a population of nearly 6,000. It is believed that a double-track extension from the corner of Charlotte and Rideau Streets over Cummings' Bridge and east on Montreal Road to a point near the junction of Main Street and Montreal Road, will be a profitable investment for the railway company. In fact it seems so evident that the company will desire to build this extension, that it has been included for the purpose of this study, in the second year of construction.

The line to Lindenlea is recommended as double track from the junction of Beechwood Avenue and Crichton Street northeast on Beechwood Avenue to Springfield Road. From this point, owing to the narrowness of the streets, it is recommended that single tracks be built on Beechwood Avenue, Butternut Terrace, Maple Lane and Springfield Road, back to join the double track on Beechwood Avenue. With this construction a very satisfactory service may be rendered by operating in one direction around this Lindenlea loop; the direction to be that indicated by the order in which the streets are named above, in other words, north on Butternut Terrace and south on Springfield Road.

The construction just outlined for the second year amounts to approximately 6 miles and would cost about \$217,710. In addition to the track construction there will be needed about ten additional passenger cars, one large double-truck snow sweeper and a snow plow. This rolling stock will cost about \$132,000. The increase in service—car miles operated—will also demand additional substation equipment, costing approximately \$20,000. The total capital expenditures for this second year will be \$369,710.

## EXTENSIONS DURING THE THIRD YEAR.

The first two years of this construction programme will relieve the congestion in the centre of the city and place extensions into three districts having no service at the present time; districts already well populated yet having room for large growth, will be greatly enhanced by the new lines.

A large municipal hospital is now under construction just north of Carling Avenue and about 1,000 feet west of Fairmont Avenue. Undoubtedly the City of Ottawa will build a continuation of Ruskin Street from Holland Avenue to Fairmont Avenue as this new street would be about the same distance from the hospital as is Carling Avenue. This continuation of Ruskin Street will not only give another easy means of reaching the new hospital but will open new and desirable territory for the construction of new dwellings.

Fairmont Avenue between Wellington Street and Bethany Road is now well built up, but south of Bethany Road there are comparatively few houses. However, many new ones are under construction and the section is rapidly building up.

It is recommended, as part of the third year construction, to build a double-track line from Wellington Street south on Fairmont Avenue to and across Carling Avenue into the property of the Experimental Farm; thence west on the property of the farm and connect with the present line where it turns south towards the farm buildings. The extension of Ruskin Street should be double tracked from Holland Avenue to Fairmont Avenue, with proper special work at the junction with Fairmont Avenue to permit cars from the Experimental Farm to "we" at this point. At present Fairmont Avenue passes under the tracks of the Grand Trunk Railway; this railway being carried over the avenue on a timber trestle. To make this subway usable for the street cars—in fact, properly serviceable for vehicular traffic—the Grand Trunk Railway tracks should be carried across the avenue on a steel beam bridge.

The present tracks on Holland Avenue from Ruskin Street south and across Carling Avenue and east on the Experimental Farm property to the point where the lines turn south should be removed.

There is still much doubt as to the possibility of removal or elevation of the railroad tracks crossing Wellington Street between Champagne and Breeze Hill avenues, but it is thought possible that this question may be decided before the commencement of the third year of construction on this programme. Assuming this question to have been decided, it is recommended that double track be built on Wellington Street from Preston to Somerset Street.

Service on the extensions to be built during the third year will necessitate the purchase of seven new double-truck passenger cars and one double-truck snow sweeper. The cost of these cars and the track construction—a little less than four miles of track and a net addition of 3.3 miles—would be approximately \$300,160.

#### EXTENSIONS DURING THE FOURTH YEAR.

The district south of that commonly known as "Sandy Hill" is the next requiring additional service. A study of this section plainly indicates that there will be little growth south of Templeton Street under present car service. Also there is ample room for development north of Templeton Street. It is believed there will be some material growth before the fourth year of construction is commenced and that there will be a demand for increased service to this section; also, that such service would be profitable and would hasten the development of the section. Therefore, it is recommended, during the fourth year of construction, that a double-track line be built south on Nicolas Street from Laurier Avenue to a point near the south corner of what is known as the "Varsity Oval." This extreme southern corner of the playground is not used and should be purchased for the continuance of Templeton Street, at a slight angle to its present line, from King Edward Avenue to Nicolas Street. Double-track construction should be continued from Nicolas Street upon Templeton Street, thence continued to Marlborough Avenue, at which point cars should be turned on a small loop.

Attention should be called to the grades in the Sandy Hill section. It was only after careful study that the route just outlined was determined upon as containing not only the easiest grades but also the only ones safe for operation, and still provide a route which would properly serve this district.

It is a well-known fact that street railway lines induce the building up of districts which they serve. Bearing this in mind it is believed that during the fourth year of this programme it will be found expedient to extend the line in Ottawa East. While a half mile south on Main Street might reach the limit of the new settlement at this future date, it is recommended that during this construction period a double-track extension be built south on Main Street from Clegg Street to a point near the



Rideau River, then bearing slightly west, continue until it reaches the edge of the present settlement and there building a small single-track loop.

The 2.75 miles of extensions recommended and ten new cars would make the fourth year construction cost approximately \$209,440.

#### EXTENSIONS DURING FIFTH YEAR.

There is now, and has been for some time past, more or less agitation for removal and relocation of railroad tracks in and about the City of Ottawa. Among these plans is one for a line which would have a passenger station, known as Ottawa South, on the south side of the Rideau River near the Bank Street bridge. Such a station would certainly demand street car service to the centre of the town. Whether this change will be made by the beginning of the fifth year of this programme is considered immaterial for it is believed that the increase in population and business along the southern end of Bank Street and immediately across the river, will warrant a double-track extension on Bank Street from Grove Street, south and across the bridge over the Rideau River. This extension of about one mile and five new cars would cost about \$94,000.

The total cost of new construction, new cars, equipment and carhouse, on this five years' programme, is estimated at \$1,517,690.

Track extensions are shown for each year of this programme upon a map which also shows the distribution of population of the city of Ottawa and municipality of Eastview.

#### DENSITY OF CAR TRAFFIC

Car-flow diagrams have been prepared showing graphically the cars per hour in each direction on all streets in the central district of the city during present normal service and present rush-hour service. There are also car-flow diagrams showing both normal and rush-hour service after completion of the proposed programme of construction. A comparison of these diagrams will clearly show that, even with a 17 per cent. increase in service through the central district after completion of the proposed construction, there is much less congestion than under the present method of operation.

#### OPERATING EXPENSES AND TAXES.

The estimates of operating expenses for each year of this proposed programme of construction were based upon the actual experience of the company—the greatest consideration being given to the total operating expenses and expenses per car mile for the year 1921. However, the employees of the company accepted a reduction of 12 per cent. in wage rates, effective July 1, 1922, which reduction will decrease the operating expenses per car mile since that date.

Fluctuations in labour rates and costs of materials during the next five years will probably be slight, so the costs per mile for 1921, adjusted by the reduction in labour rates, have been used to estimate the operating expenses for each year of this programme.

Taxes have been estimated upon the 1922 basis of taxation—mileage basis for track, valuation for real and personal property, and net income for income tax.

#### OPERATING REVENUE.

The past history of the company shows a steady increase in the riding habit of the patrons of the company, until in 1921 it reached the point of 336 rides per capita per annum. Past history would, of course, indicate a further steady increase but it is believed that the peak has been reached. Based upon the assumption of 330 rides per capita per annum and the indicated normal growth of the city, the passenger revenue has been

estimated

estimated for each year of this programme, allowing for the continuance of the "Limited" and "Sunday" reduced rate ticket.

The increase in population and distribution of density of population is well indicated by the four maps showing graphically the density of population for the years 1890, 1900, 1910, and 1920.

About ten per cent. of the revenue passengers used "Limited" or "Sunday" tickets, the abolition of which tickets would effect an increase in revenue varying from \$70,000 in the first year to \$80,000 in the fifth year.

[CITY OF OTTAWA SEAL]

(Signed) THE CORPORATION OF THE CITY OF OTTAWA.

HENRY WATTERS,  
*Mayor.*

NORMAN H. H. LETT,  
*Clerk.*

(Signed) THE OTTAWA ELECTRIC RAILWAY COMPANY,

By T. AHEARN,  
*President.*

G. L. SNELLING,  
*Secretary-Treasurer*

(Signed) JNO. M. JACKSON,  
*Witness.*

## CHAPTER 144.

An Act to enable the Trustees of St. Andrew's  
Presbyterian Church, Peterborough, to sell  
or mortgage certain lands.

*Assented to 17th April, 1924.*

**W**HEREAS the trustees of St. Andrew's Presbyterian Church, Peterborough, have by petition represented that by letters patent, dated the twenty-ninth day of July, 1836, lot number thirteen, on the north side of Brock Street, and west of George Street, in the Town (now City) of Peterborough, was granted to certain trustees, in trust, as a glebe for the residence of a clergyman in connection with the Church of Scotland, in the then Town of Peterborough, which church is now known as St. Andrew's Presbyterian Church in the City of Peterborough; and whereas by letters patent, bearing date the twenty-second day of October, 1836, lot lettered "F" fronting on Brock Street, and lying west of George Street, in the said town, was granted to such trustees, in trust for the site of a church in connection with the said Church of Scotland; and whereas the said trustees, with the approval of the congregation of the said church and the Presbytery of Peterborough, have executed and delivered a mortgage, bearing date the seventeenth day of October, 1923, on said lands to the Central Canada Loan and Savings Company of Peterborough, to secure the sum of twenty-five thousand dollars; and whereas doubts have arisen as to the power of the said trustees to execute said mortgage, and the said trustees have by petition prayed that the said mortgage may be declared valid, and that their power to sell or mortgage the said lands may be declared and defined; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The St. Andrew's Presbyterian Church, Peterborough, Act, 1924.* Short title

2. The present trustees of the said lands, or their successors, or a majority of them, with the approval of the congregation Power to mortgage certain lands.

congregation

congregation of St. Andrew's Presbyterian Church and the Presbytery of Peterborough, shall have full power to mortgage the said lands above set forth, or any portion or portions thereof, and to execute and deliver mortgages to the mortgagee, and to receive the mortgage money, and that the mortgagee shall not be bound to see to the application of the consideration thereof.

Power to  
sell certain  
lands.

**3.** The present trustees of the said lands, or their successors, or a majority of them, with the approval of the congregation of St. Andrew's Presbyterian Church and the Presbytery of Peterborough shall have full power to sell the said lands above set forth, or any portion or portions thereof, and to execute and deliver conveyances to the purchaser and to receive the purchase money, and that the purchaser shall not be bound to see to the application of the consideration thereof.

Confirma-  
tion of  
mortgage.

**4.** The said mortgage to the Central Canada Loan and Savings Company is hereby ratified and confirmed, and declared to be legal and valid.

Commence-  
ment of Act.

**5.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 145.

## An Act to incorporate Ridley College.

*Assented to 17th April, 1924.*

**W**HEREAS Ridley College has, by its petition, repre-  
 sented that it is a corporation having share capital  
 incorporated under *The Ontario Companies Act*, and having  
 established and carrying on a college for boys, known as  
 Ridley College, at the city of St. Catharines, which has  
 been in operation for over thirty-four years; and whereas  
 of the issued capital stock all except eighty shares have been  
 surrendered by the holders thereof to trustees, who hold  
 the same in trust exclusively for the benefit of the said college;  
 and whereas it is desirable and in the interests of the said  
 college, that the said corporation, hereinafter in this Act  
 called the "old corporation," should be wound up and its  
 property and assets transferred to a new corporation without  
 share capital to be created by this Act; and whereas the said  
 old corporation has by its petition prayed that an Act may  
 be passed for such purposes; and whereas it is expedient  
 to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and  
 consent of the Legislative Assembly of the Province of  
 Ontario, enacts as follows:—

1. This Act may be cited as *The Ridley College Act, 1924*. Short title.
2. The persons hereinafter named and their successors Incor-  
poration.  
 in office are hereby constituted and shall be a corporation  
 under the name of "Ridley College," hereinafter called the  
 "new corporation," for the purposes and with the powers  
 herein mentioned.
3. The said persons, namely, George H. Gooderham, Board of  
Governors.  
 Henry J. Cody, Arthur Courtney Kingstone, Edward W.  
 Beatty, Arthur L. Bishop, Edward D. Gooderham, M. Ross  
 Gooderham, Herald B. Greening, Henry C. Griffith, Newman  
 W. Hoyles, J. Hamilton Ingersoll, Aemilius Jarvis, Frederick  
 C. Jarvis, Reuben W. Leonard, Douglas H. C. Mason,  
 Wilmot L. Matthews, W. Hamilton Merritt, John O. Miller,

Stanley,

Stanley, C. Norsworthy, Thomas O'Meara, Carl Riordon, Alfred Rogers, Albert W. Taylor, Henry J. Taylor, Henry G. Williams, and George M. Wrong, and their successors in office, with the principal, or joint principals, for the time being of Ridley College, shall constitute the board of governors, hereinafter called the board, of the said new corporation, and the said persons named with the present joint principals shall be the first board.

**Vacancies.**

4. Upon a member of the board ceasing to be in sympathy with the purposes for which the new corporation is carried on as defined in section 11, he shall cease to be a member of the board, and upon a vacancy occurring by death, resignation or otherwise in the office of any of the board, his successor shall be appointed by the board.

**Resolution  
to declare  
seat vacant.**

5. The board may, by resolution passed by a two-thirds vote of the members present at a meeting duly called for that purpose, declare the seat of any member to be vacant

**Repre-  
sentation  
"Old Boys"  
on Board.**

6. The board may from time to time, by by-law, provide for representation upon the board by "The Ridley College Old Boys Association," and may prescribe the terms and conditions, including the duration, of such representation. The representatives chosen or appointed pursuant to such by-law shall be members of the board, subject to the terms and conditions so prescribed.

**Membership  
of Board.**

7. The board shall, until their number is changed as herein provided, consist of twenty-six members, but the number may from time to time be increased or decreased by by-law of the board passed at a special meeting called for the purpose; provided that the number shall never be less than nine. The board shall, in any by-law which may be passed to increase or decrease such number, have power to prescribe and govern the manner in which the change in number shall be effected.

**Officers.**

8. The board shall appoint annually, and at its first meeting of the year, one of their number to be president, who shall be chairman of the board and shall hold office for one year and until his successor is appointed, and the board, may from time to time, appoint one or two of their number to be vice-president or vice-presidents, who, or the senior of whom present, shall in the absence of the president, or in case his office is vacant, act in his place. The board may appoint a secretary, bursar and such other officers and employees as may be deemed necessary.

**Members to  
serve with-  
out re-  
muneration.**  
12. 12. 12. 12. 12.

9. The services of the members of the board shall be given without remuneration, except for actual disbursements

approved

approved by the board; provided that the *ex officio* member or members of the board may receive such remuneration, as principal or joint principal, as the board may think fit.

**10.** All properties, real and personal, and the undertaking and assets, with all the rights, powers, privileges and immunities, now vested in, owned, held, possessed or enjoyed by Ridley College and by the said old corporation are hereby vested in the new corporation for its purposes, without the necessity of any other grant, conveyance, transfer, assignment or vesting thereof, subject to the provisions of this Act and to the terms of any grant, trust, devise or bequest heretofore made or declared in respect thereof, or any part thereof, and subject to all obligations, debts, mortgages, charges and liabilities in any way affecting the same or in respect thereof, and to all debts and obligations in any way due or owing by or from the said old corporation. Vesting of property.

**11.** The new corporation shall have full power to continue and carry on Ridley College and the powers, purposes, undertaking and business of the said old corporation, and, particularly to carry on in connection with the Church of England in Canada a college for boys, in which they will receive a high-class education, fitting them for matriculation at any university or for engaging in professional or business pursuits, combined with a religious training of a distinctly evangelical type in accordance with the Protestant principles of the Reformation; and also generally for the same purpose as aforesaid to establish and carry on other colleges and schools for the education of youth, with boarding houses, residences, gymnasiums, playing fields and other buildings, properties and accessories in connection therewith, or usual or incidental thereto. Powers.

**12.** For the purposes of the new corporation, all persons and corporations may grant, give, devise and bequeath to the new corporation, and, notwithstanding any Act or law respecting mortmain and charitable uses, the new corporation may acquire and take by purchase, lease, gift, devise, bequest, endowment and otherwise, and may continue to hold, lands or tenements or interests therein, moneys, investments and personal property; and the new corporation may execute and carry out any trust or endowment and terms upon which any land or interest therein, moneys, investments or personal property may be granted, conveyed, given, devised or bequeathed to it. Right to devise and bequeath property. Right of corporation to hold land.

**13.** The income from the funds and investments of the new corporation, the fees received for tuition and maintenance, the rents, issues and profits and interest or dividends from Application of income.

all properties owned or held by or for the benefit of the new corporation, except property touching which it has been otherwise ordered by the donors, and all contributions and subscriptions received by or on behalf of the new corporation for the purpose of being applied towards the maintenance of Ridley College or other its properties shall form the income fund of the new corporation, and shall be at the disposal of the board for its purposes; and the board may, in its discretion from time to time, appropriate any surplus for the purpose of creating contingent or special funds for the purposes of the new corporation.

Power  
of sale.

**14.** The board may from time to time sell and dispose of any of the real or personal properties of the new corporation, which no longer may be necessary for the purposes of the new corporation: provided that all proceeds derived from any such sale or disposal shall be held, applied and used for the purposes of the new corporation, and shall not be converted to other uses or purposes.

Power  
to borrow  
money.

**15.** The board may, for the purposes of the new corporation, borrow money from time to time and secure its repayment.

Particular  
duties of  
Board.

**16.** The powers of the new corporation shall be vested in and exercised by the board, and, without restricting the generality of the foregoing, the board shall appoint the principal or joint principals, masters, bursar and other officers, agents and servants and shall have the control, management and government of Ridley College and other colleges and schools carried on by the new corporation, and, subject to the provisions of this Act, also of all its properties, endowments, funds, assets, income, revenues and expenditures; and the board shall have power to pass by-laws, resolutions, rules and regulations for the control, management, and conduct of the affairs of the new corporation including the establishment of masterships, exhibitions, scholarships and prizes, fixing the salaries of the principal or joint principals, masters, secretary, bursar, officers and servants, and also as to all matters pertaining to the business, meetings and transactions of the board and to fix the quorum necessary for meetings of the board, and the board may act by a local board of governors or such committees of the board, as it may deem proper to appoint.

Regulations.

**17.** The principal or joint principals, subject to the approval of the board, may make regulations for the direction of the masters, officers and servants in regard to their duties, and for the discipline and instruction of the pupils of Ridley College or other colleges and schools, and for the conduct of the colleges or schools and the management of the college or school buildings and grounds.



**18.** Subject to the by-laws of the board, all conveyances, grants, discharges or assignments of any property held by or for the new corporation shall be made by the board under its corporate seal, attested by the signatures of the president or a vice-president, or by some other member of the board thereto authorized, and of such officer of the board as it may from time to time direct.

Form of conveyances, etc.

**19.** The board may make regulations for the retirement and superannuation of any principal, master, officer or servant, and any gratuity or superannuation allowance may be paid out of any fund provided for that purpose or out of the income fund, as the board shall direct.

Super-annuation.

**20.** The board may pass by-laws for acquiring or expropriating any land situate within the city of St. Catharines or the township of Grantham and contiguous to land belonging to the new corporation, required for the purposes of the new corporation and, for such purpose, may exercise the powers of expropriation conferred on a municipal corporation; and the provisions of Parts XV and XVI of *The Consolidated Municipal Act, 1922* shall, *mutatis mutandis*, apply to and govern the exercise of such powers so far as the same are applicable or necessary thereto.

Expro-  
priation.  
1922, c. 72.

**21.** From and after the passing of this Act the said old corporation shall for all purposes whatsoever be deemed to have been wound up and dissolved and its Letters Patent of Incorporation surrendered, provided always that any valid right or claim existing against the said old corporation shall not be prejudiced thereby, but all such rights and claims shall remain and may be enforced against the new corporation.

Old cor-  
poration to  
be deemed  
wound up.

**22.** It is declared that all shares whatsoever of the capital stock of the said old corporation are hereby cancelled and void, and subject as hereinafter provided, no rights or liabilities shall continue to exist thereunder or in respect thereof; provided always in respect of the said eighty shares outstanding on the books of the said old corporation immediately prior to the passing of this Act, being the balance of the issued capital stock thereof not acquired by or held in trust for the benefit of Ridley College, it is declared that the owners, or other the holders thereof legally entitled thereto, shall be entitled to payment of the par value of such outstanding shares so owned or held by them from the new corporation at any time thereafter upon presentation and surrender to the board of the certificates therefor, and to interest thereon at the rate of three per centum per annum from the date of the passing of this Act until such payment; and, as security for such payment, the said outstanding

Shares old  
corporation  
cancelled—  
proviso.

shares shall be a lien and charge on the real property of the new corporation, subject only to the prior lien and charge of any existing mortgage, charge or trust affecting the same in force at the date of the passing of this Act; and for payment of said outstanding shares and interest, the board may establish and set aside such fund as it may deem requisite.

Commence-  
ment of  
Act.

**23.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 146.

An Act respecting the Kitchener-Waterloo Young  
Men's Christian Association and the Young  
Women's Christian Association of  
Kitchener.

*Assented to 17th April, 1924.*

**W**HEREAS the Kitchener-Waterloo Young Men's Christian Association was incorporated in the year 1920, without share capital, under *The Ontario Companies Act*, being chapter 178 of the Revised Statutes of Ontario, 1914; and whereas the said association has for its object the improvement of the spiritual, mental, social and physical condition of young men and boys; and whereas the Young Women's Christian Association of Kitchener was incorporated in the year 1913, without share capital, under the provisions of the said Act; and whereas the Young Women's Christian Association of Kitchener has for its object the spiritual, intellectual, social and physical development of young women; and whereas both the said associations are governed by constitutions and by-laws which have received the assent of the respective members of the said associations; and whereas the work of the said associations is carried on without profit or gain to them; and whereas in spite of the active work of their respective members and the financial and other assistance which the said associations receive from the citizens of the city of Kitchener and the town of Waterloo, they are unable to meet their current annual expenditures; and whereas the said associations have by petition prayed to be exempted from payment of municipal taxes, except school and garbage taxes and taxes for local improvements; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Kitchener-Waterloo Y.M.C.A. and Kitchener Y.W.C.A. Act, 1924.* Short title.

Exemption  
from  
taxation of  
Y.M.C.A.

**2.** The buildings of the Kitchener-Waterloo Young Men's Christian Association and the lands whereon the same are erected shall, so long as the same are occupied by, and used for the purposes of the association, be and the same are hereby declared to be exempt from taxation for the year 1924 and thereafter, except school and garbage taxes and taxes for local improvements.

Exemption  
from  
taxation of  
Y.W.C.A.

**3.** The buildings of the Young Women's Christian Association of Kitchener and the lands whereon the same are erected shall, so long as the same are occupied by, and used for the purposes of the Association, be and the same are hereby declared to be exempt from taxation for the year 1924 and thereafter, except school and garbage taxes and taxes for local improvements.

Commence-  
ment of  
Act.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 147.

## An Act to incorporate the Midland Young Men's Christian Association.

*Assented to 17th April, 1924.*

**W**HEREAS the Midland Young Men's Christian Association has been carrying on its work for several years, and it has been deemed advisable that the said association shall become an incorporated body, and the said association has prayed that it may be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition:—

Preamble.

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Midland Young Men's Christian Association Act, 1924.* Short title.

2. D. L. White, Jr., D. Horrell, T. Scarlett, A. W. Bell, C. B. Hopkins, N. L. Playfair, T. C. Luke, G. Moore, T. J. Campbell, H. J. Thompson, Charles Hartman, and such other persons as are now members of the Midland Young Men's Christian Association, and also all others who shall hereafter become members of the corporate body hereby created are hereby constituted a body corporate and politic under the name of the Midland Young Men's Christian Association, hereinafter called the "Association." Incorporation.

3. All property real and personal belonging to or held in trust for the Midland Young Men's Christian Association shall henceforth be vested in the association to be held, used and administered subject to the provisions of this Act in accordance with the constitution and by-laws adopted by the Association as the same may be added to or repealed according to the provisions of the said constitution and by-laws. Vesting of property.

4. All property vested by this Act in the association shall remain liable for the payment or satisfaction of any debts or obligations heretofore contracted or incurred in respect Property liable for existing debts.

thereto

thereto to the same extent as it would have been liable therefor had this Act not been passed.

Power to  
acquire and  
dispose of  
real estate.

**5.** The said association shall have power to acquire and hold in the municipality of Midland and the vicinity thereof any real property or any estate or interest therein either by purchase, lease, gift, devise or bequest either absolutely or in trust, and to sell, transfer, exchange, mortgage, hypothecate, lease or otherwise alienate or dispose of the same or any part thereof and apply the proceeds of any such property for its purposes, provided that no land at any time acquired by the association and not required for its actual use and occupation, or by way of security for the payment of any loan, debt or guarantee, shall be held by it or by any trustee on its behalf for a longer period than seven years after it shall cease to be so required, but this proviso shall not be deemed in any wise to vary or otherwise affect any trust relating to such property.

Constitu-  
tion and  
by-laws.

**6.** The constitution and by-laws as passed by the provisional board of directors of the association are hereby declared to be the constitution and by-laws of the said association but they or any of them may be added to, amended or repealed and others substituted therefor, as provided in the said constitution and by-laws and in accordance with the terms of this Act.

Officers.

**7.** The officers of the provisional board of directors of the association shall be the officers of the said association and shall retain their respective offices until others shall be elected in their places, under the constitution and by-laws of the association.

Objects of  
association.

**8.** The object of the said association shall be the spiritual, mental, social and physical improvement of young men and boys by the maintenance and support of meetings, lectures, reading and recreation rooms, libraries, gymnasia, athletic grounds, summer camps, aquatic facilities, dormitories, lunch rooms, and such other means as may from time to time be determined upon, and to establish, maintain and operate branch associations in the town of Midland and the vicinity thereof. The said association shall have the power to make all or part of its facilities and equipment available for use by young women and girls and by such community organizations as may have as their object the general good of the youth of the town upon such terms and conditions as may be determined by the association.

Exemption  
from  
taxation.

**9.** The buildings, lands, equipment and undertaking of the said association so long as and to the extent to which

they

they are occupied by, used and carried on for the purposes of the said association are declared to be exempted from taxation except for local improvements and school taxes.

**10.** The said association shall have power to borrow money Borrowing. for its purposes upon its credit and to mortgage, hypothecate or pledge any of its property real and personal as security for any loan.

**11.** The association shall have power to establish an Endow-  
ment fund. endowment fund or funds for the purpose of promoting and extending its aims and objects and in furtherance of such purpose to obtain, set aside and hold subscriptions, donations, gifts and bequests under such regulations and conditions in respect thereto as may from time to time be decided upon by the board of directors.

**12.** The said association shall have power to lend money Loaning. upon the security of real estate and to invest and reinvest any of its funds and moneys in any debentures or municipal or public school districts or corporations, Dominion or Provincial debentures, bonds, stocks or in Dominion or Provincial securities, or in any security the payment of which is guaranteed by the Dominion of Canada or any province thereof, and for all purposes of any loan or investment it shall have all such rights and remedies for collection, enforcement or repayment thereof as any individual or corporation would have by law in the premises.

**13.** This Act shall come into force on the day upon which Commence-  
ment of  
Act. it receives the Royal Assent.

## CHAPTER 148.

## An Act respecting the Railroad and City Young Men's Christian Association of the City of St. Thomas.

*Assented to 17th April, 1924.*

## Preamble.

**W**HEREAS the Railroad and City Young Men's Christian Association of the city of St. Thomas was incorporated under the provisions of an Act intituled *An Act respecting Benevolent, Provident and other Societies*, being chapter 172 of the Revised Statutes of Ontario 1887, and confirmed by an Act of this Legislature being 8 Edward VII, chapter 144, having for its objects the spiritual, intellectual, moral and physical welfare of railroad men and young men in the city of St. Thomas; and whereas the said Association after its incorporation purchased and acquired certain lands in the said city for the purposes of its work, being city lots numbers five, four and the west part of lot three in Block A south of Talbot street according to registered plan number 3, and the same was used by the Association till the year 1915, and in the last named year a new building was erected on the south-east corner of Talbot and Ross streets in the said city, to provide greater accommodation for the work of the Association; and whereas by reason of the war and the depression that followed it, the Association has not been able until now to sell and dispose of the old site and property, nor has it been able to pay the municipal taxes assessed against the same, and such arrears of taxes are a serious obstacle to the completion of a sale of the same; and whereas the expense of carrying on the work of the Association has to be borne out of membership fees, and by voluntary subscriptions of citizens, and such income is insufficient to provide for the work and pay municipal taxation; and whereas the said Association has by its petition prayed that an Act may be passed authorizing the municipal council of the city of St. Thomas to pass a by-law or by-laws remitting all taxes and arrears of taxes charged and assessed against both of said properties and parcels of land up to the 1st day of January, 1924, and exempting the old site being the lands firstly above described, from all municipal taxation, except for local



improvements until the same are sold and disposed of by the Association, and granting similar exemption to the new site, being the lands secondly above described so long as the same are used for the purposes of the Association; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The St. Thomas Railroad and* Short title.  
*City Y.M.C.A. Act, 1924.*

**2.** The municipal council of the city of St. Thomas may pass a by-law or by-laws remitting all taxes and arrears of taxes, rated, charged or assessed for any purpose, up to the 1st day of January, 1924, on the lands comprising the old site of the said Association in the said city and being city lots numbers five, four and the west part of lot number three in Block A on the south side of Talbot street according to registered plan number 3, which taxes and arrears amount to the sum of \$5,377.15, and also all such taxes and arrears of taxes, rated, charged or assessed to the same date against the new site, and lands and premises now occupied by the Association, situate at the south-east corner of Talbot and Ross streets in the said city, which taxes and arrears amount to the sum of \$7,377.23.

Remission of  
arrears of  
taxes against  
lands of  
Association.

**3.** The municipal council of the corporation of the city of St. Thomas may pass a by-law or by-laws exempting from all municipal taxation, except for school purposes and local improvements, the lands and premises at present occupied by the Association and secondly above described in section 2 of this Act so long as the same are used for the purposes of the Association.

Exemption  
from future  
taxation.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

## CHAPTER 149.

## An Act respecting the Black Eagle Gold Mining Company, Limited.

*Assented to 17th April, 1924.*

Preamble

**W**HEREAS the Regina Reef Gold Mines Limited has by Petition represented that it is carrying on the business of mining with head office at the city of Toronto, in the county of York, and has entered into an arrangement to purchase from Hugh Corbett, William Rivet-Carnac and Cyril Theodore Anstruther Wilkinson, on behalf of the debenture holders of the Black Eagle Gold Mining Company Limited, certain mining properties hereinafter referred to, in the district of Kenora, in the Province of Ontario; that the petitioner is a body corporate and politic carrying on the business of mining with head office at the city of Toronto, in the county of York, and has entered into an arrangement to purchase from Hugh Corbett, William Rivet-Carnac and Cyril Theodore Anstruther Wilkinson, on behalf of the debenture holders of the Black Eagle Gold Mining Company Limited, certain mining properties hereinafter referred to in the district of Kenora in the Province of Ontario; that the said mining properties are known as parcel 3101 in the Land Titles Office at Kenora for the district of Kenora, and being composed of mining location D. 234 and parcel 938 in the Land Titles Office at Kenora for the district of Kenora and being composed of mining locations P. 566 and P. 567; that all of the said parcels or mining locations were patented by General Sir Henry Clement Wilkinson, who with his personal associates in England carried on mining operations thereon, a company having been incorporated under the name of the Black Eagle Gold Mining Company Limited, under the laws of the United Kingdom, to which said Company was granted on or about the 6th day of September, 1901, a license to carry on business in the Province of Ontario; that under transfer registered at the said Land Titles Office as No. 5302, the said Black Eagle Gold Mining Company Limited became the owner in fee simple with an absolute title of the said parcel No. 938, being mining locations 566 P. containing thirty-five acres and 567 P. containing forty-two and one-half acres in the said mining division, and under transfer No. 5303 the said Black

Eagle Gold Mining Company Limited became the owner in fee simple with an absolute title of the said parcel 3101, being mining location D. 234 in the said mining division, in both cases subject to the usual reservations of five per cent. for roads and subject to the usual reservations, provisos and conditions contained in *The Mines Act* and in the original patent from the Crown; that under and by virtue of charge No. 8303 dated the 19th day of December, 1904, and registered the 16th day of June, 1905, the said lands were mortgaged or charged in favour of Sir Henry Clement Wilkinson and James Carfrae Alston for the payment of £12,500 Sterling; the said charge is still in existence; that the said James Carfrae Alston, by notice in writing dated the 9th day of November, 1906, duly retired as trustee, leaving the said Sir Henry Clement Wilkinson the sole trustee; that default having been made by the Company pursuant to the provisions of the said charge, the said Sir Henry Clement Wilkinson, trustee, by notice in writing under his hand dated the 11th day of November, 1906, required the Company, within one month after receipt of that notice, to pay the interest then in arrears and that in default the property would be sold; that the Company made default in payment as required by such notice and thereupon the Trust for Sale declared by the said charge arose; that in pursuance of the powers in him vested as such trustee, the said Sir Henry Clement Wilkinson, by his agent, John Taylor, took possession of the mortgaged premises hereinbefore referred to on the 11th day of December, 1907, and he so continued in possession until his death, and his successors hereinafter referred to have ever since been in continuous possession and are in possession at the present time; that the said Sir Henry Clement Wilkinson died on the 23rd day of November, 1908, having duly made his will, dated the 25th day of March, 1908, whereby he appointed Ellen Maria Phoebe Corbett, William Rivet-Carnac and Cyril Theodore Anstruther Wilkinson his executors and trustees, and his will was proved in His Majesty's Surrogate Court of the District of Rainy River, now Kenora, by all the executors on the 30th day of April, 1909, and they thereupon became the trustees under the Trust Deed and became entitled to all the rights possessed by the said Sir Henry Clement Wilkinson by virtue of the said charge; that the said Black Eagle Gold Mining Company Limited has wholly failed to carry out its obligations under the Trust Deed and has never paid any sum in respect of the monies so secured and the time for payment thereunder has long since expired; that the said Ellen Maria Phoebe Corbett died in 1919, leaving her son, Hugh Corbett, her sole executor; that the said original notice given by the said James Carfrae Alston of his retirement as such trustee and the said notice to the said Company cannot now be located; that the said Hugh Corbett, William Rivet-Carnac

and

and Cyril Theodore Anstruther Wilkinson are the persons entitled by law to sell the said property and receive the said purchase money; that the said Hugh Corbett, William Rivet-Carnac and Cyril Theodore Anstruther Wilkinson have had no dealings with the said property save to grant to one, Harold Arthur Clement Machin, an option dated the 25th day of October, 1922, to purchase the said lands, which option has been acquired by your petitioners; that owing to the provisions of *The Land Titles Act* and of other Statutes in that behalf, proceedings in the Supreme Court of Ontario would be necessary in order to permit registration of a transfer signed by the said Hugh Corbett, William Rivet-Carnac and Cyril Theodore Anstruther Wilkinson in order to prove the devolution, and that the said persons are entitled by law to sell the aforesaid lands; that such proceedings, whether under *The Quieting Titles Act* or by other procedure, would be lengthy and would greatly prejudice your applicants who are desirous of immediately consummating the aforesaid purchase and proceeding with the development of the said property and the production of minerals thereon; and whereas the said petitioner has by petition prayed that an Act may be passed, authorizing and directing the Master of Titles at Kenora, to register a transfer of the said lands to the petitioner, signed by Hugh Corbett, William Rivet-Carnac and Cyril Theodore Anstruther Wilkinson, and to issue to the petitioner a certificate of title covering the said lands; and whereas it has been deemed expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Direction to  
Master of  
Titles to  
register  
transfer

1. The Master of Titles at the Land Titles Office for the district of Kenora, at Kenora, Ontario, is authorized and directed to register a transfer to Regina Reef Gold Mines Limited (No Personal Liability), executed by Hugh Corbett, William Rivet-Carnac and Cyril Theodore Anstruther Wilkinson, trustees for the debenture holders of Black Eagle Gold Mining Company Limited, of parcel 3101 in the Land Titles Office at Kenora for the district of Kenora, and being composed of mining location D. 234 and parcel 938, in the said Land Titles Office at Kenora, for the district of Kenora, being composed of mining locations P. 566 and P. 567; and forthwith thereafter to issue to Regina Reef Gold Mines Limited (No Personal Liability) a certificate of title to and for the said parcels.

## CHAPTER 150.

An Act respecting the Kitchener-Waterloo  
General Hospital.*Assented to 17th April, 1924.*

**W**HEREAS the municipal corporations of the City of <sup>Preamble.</sup> Kitchener and the Town of Waterloo have by petition represented that the Kitchener-Waterloo General Hospital Trust is a body incorporated in 1894 under the provisions of R.S.O. 1887, chapter 172, intituled *An Act respecting Benevolent, Provident and other Societies*, and as such acquired lands in the City of Kitchener and erected thereon an hospital and nurses' home and equipped the same and has for about thirty years operated said hospital, and that the nurses' home has since its erection been used and occupied by the nurses employed in the said hospital; and whereas owing to the rapid growth of the City of Kitchener and the Town of Waterloo the said hospital and its equipment are inadequate for the purposes for which they are used, and the said hospital requires to be provided with further accommodation; and whereas owing to their proximity the said hospital has since its erection served both communities of the City of Kitchener and the Town of Waterloo, both of which corporations have from time to time given financial assistance to the said Hospital Trust; and whereas the Kitchener-Waterloo General Hospital Trust are financially unable to provide the funds to undertake the necessary improvements required for the proper conduct and operation of the said hospital and have applied to the municipal councils of the City of Kitchener and the Town of Waterloo to take over the hospital property and nurses' home subject to any encumbrances thereon, and subject to the said corporations assuming the administration of certain funds donated to the said Hospital Trust and the operation and maintenance of the same as a general hospital; and whereas at the municipal elections held in both municipalities on the first day of January, A.D. 1924, there was submitted to the municipal electors under the provisions of *The Consolidated Municipal Act, 1922*, in that behalf the question:

"Are you in favour of the municipalities of the city of Kitchener and the Town of Waterloo taking over and  
operating

operating the property now operated by the Kitchener-Waterloo Hospital Trust by means of a commission appointed by the two municipalities?"

and whereas at such election in the City of Kitchener, 1,991 electors voted in the affirmative and 1,370 in the negative, and in the Town of Waterloo 791 electors voted in the affirmative and 427 in the negative; and whereas the municipal councils of the said municipalities have agreed to take over and operate the said hospital and nurses' home upon the Kitchener-Waterloo General Hospital Trust and the corporations of the City of Kitchener and the Town of Waterloo being authorized and empowered to carry out such proposal; and whereas the said petitioners have prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Transfer of  
property to  
corporations.

**1.** The Kitchener-Waterloo General Hospital Trust is hereby authorized and empowered to transfer and convey to the corporations of the City of Kitchener and the Town of Waterloo all the real and personal estate and property belonging to and held by the said Kitchener-Waterloo General Hospital Trust, including the hospital and nurses' home properties, and the said corporations are hereby authorized and empowered to accept and to hold such property and operate and maintain the same as a general hospital, and the said Kitchener-Waterloo General Hospital Trust and the said corporations and each of them are hereby authorized and empowered to enter into and execute all proper conveyances and agreements for and in connection with the transfer of the said property from the said Kitchener-Waterloo General Hospital Trust to the said corporations.

Payment  
over of  
monies.

**2.** The said Kitchener-Waterloo General Hospital Trust are further authorized and empowered to transfer to the said corporations of the City of Kitchener and the Town of Waterloo, all sums of money which it holds in trust for the benefit of the said hospital; such transfer to be subject to the carrying out by the said corporations of the various trusts connected with the gift of such funds, and the said corporations are hereby authorized and empowered to accept the said trust, subject to the carrying out of the trusts connected therewith.

Manage-  
ment of  
affairs by  
commission.

**3.—(1)** The conduct of the affairs of the said hospital shall be vested in a commission of six trustees to be known

as the Kitchener-Waterloo Hospital Commission, to be appointed as follows:

- (a) Three members appointed by the municipal council of the City of Kitchener;
- (b) One member appointed by the municipal council of the Town of Waterloo;
- (c) The mayors for the time being respectively of the City of Kitchener and the Town of Waterloo;

the first appointive trustees to be appointed at the first meeting of the respective councils next after the date fixed for the commencement of this Act and thereafter appointments shall be made at the first meeting in each year of each of the said municipal councils. Vacancies from any cause on such commission may be filled by the appointing municipal council at any time.

(2) The County of Waterloo shall have the right to appoint a seventh member of the commission so long as it shall contribute to the maintenance and support of the said hospital an annual sum of not less than \$1,000.

Representa-  
tion of  
County of  
Waterloo.

4. The corporations of the City of Kitchener and the Town of Waterloo, in taking over the said property and assets of the said Kitchener-Waterloo General Hospital Trust, are hereby authorized and empowered to assume the same, subject to the payment by the corporations of any mortgages or liabilities that may be against the same, and to enter into an undertaking indemnifying the said Kitchener-Waterloo General Hospital Trust against such mortgages and liabilities.

Assumption  
of liabilities  
by corpora-  
tions.

5. The said corporations shall have the right and power to acquire such further real estate or other property as they may from time to time consider necessary for the purpose of properly carrying out the efficient operation of a general hospital and nurses' home for the said municipalities, and to erect and maintain on their property such buildings as they may consider necessary for such purposes.

Power to  
acquire land

6.—(1) The corporation of the City of Kitchener may from time to time, by by-law passed with the assent of the electors qualified to vote on money by-laws, in accordance with the provisions of *The Consolidated Municipal Act, 1922*, raise by the issue of debentures, such sums as may be necessary, for renewing, improving, enlarging or adding to the hospital buildings or nurses' home or the equipment thereof, and such debentures shall bear such rate of interest as the council may determine and shall be payable at any time within twenty years from the date of issue.

Authority of  
Kitchener to  
issue debentures for  
capital ex-  
penditure  
1922, c. 72.



Authority of  
Waterloo to  
issue debentures  
for its  
proportion-  
ate capital  
expenditure.

(2) The corporation of the Town of Waterloo may from time to time by by-law passed with the like assent of the electors become liable for its proportionate part as provided by section 7 of any debt created under the authority of subsection 1.

Apportion-  
ment of  
liability of  
corporations.

7. The municipal corporations of the City of Kitchener and the Town of Waterloo shall contribute for maintenance and for permanent improvements to the purposes of the hospital in proportion to the respective populations of the municipalities as determined by the last enumeration of the assessors and the councils shall levy and collect such proportions in each year in their respective municipalities.

Power to  
mortgage.

8. The corporations may also borrow moneys for use in connection with the improvement of the hospital or nurses' home on the security of their hospital property, including the nurses' home, and execute a mortgage or pledge to the party or parties making the advance as security for the payment thereof.

Form of  
mortgage.

9. Any mortgage executed by the corporations in pursuance of the provisions hereof may contain such covenants, provisoes, conditions and powers of sale as may be agreed upon.

Investment  
of funds.

10. The corporations may invest in such securities as may be deemed advisable all moneys which may at any time come into their possession in connection with the maintenance and operation of the said hospital, or may deposit the same in any chartered bank or financial institution in good standing.

Power to  
operate  
hospital  
training  
school for  
nurses, etc.

11. The said corporations are hereby empowered to carry on and operate a general hospital in the City of Kitchener, and may erect, equip and maintain a residence and training school for nurses, a residence for superintendent and resident physician in attendance or in connection with the hospital, and all other buildings required for hospital purposes upon such sites as the corporations may deem proper, and may maintain and conduct with their hospital, a training school for nurses and may prescribe for the issue of certificates or diplomas to nurses educated therein, and generally do all things necessary or usual to be done in the maintenance and operation of a general hospital, and provide funds therefor by imposing rates on all taxable property in the City of Kitchener and the Town of Waterloo.

Power to  
acquire land,  
etc., by gift,  
devise, etc.

12. The said corporations shall be capable of receiving and taking from the Government, or from any person or body corporate by grant, gift, devise or otherwise, any land or

interest



interest in land, or any goods, chattels, moneys or effects for the use, support, or purposes of the hospital, without a license in mortmain, and all persons and bodies corporate shall have full and unrestricted right to give, grant, devise, and bequeath to the corporations any land or interest in land or any goods, chattels, moneys or effects for use in connection with the construction, operation or maintenance of the hospital or nurses' home.

**13.** The said Hospital Commission to be appointed as Powers of commission. aforesaid shall have the full conduct and management in connection with the operation and conduct of the said hospital and nurses' home, and shall have full power to appoint and may remove at pleasure the secretary, a bursar, the medical and other superintendents and their assistants and clerks, and all other officers and servants it may deem proper to engage in connection with the operation and maintenance of the hospital and nurses' home, and shall fix all salaries, and wages to be paid, and regulate their privileges and duties, and shall have the general control, direction and management of the hospital and nurses' home, including the fees to be charged patients for accommodation in the said hospital, and expenditures of all moneys received or provided for the construction or improvement of the hospital or nurses' home or the operation or maintenance of the same; subject, however, to the commission accounting to the municipal councils of the said corporations for all moneys received or paid out by the commission and making a report to the said councils of the work performed by the commission, such statements and reports to be furnished the councils at such times as may be required by the councils.

**14.** The provisions of *The Hospitals and Charitable Institutions Act*, except where inconsistent with the provisions of Application of Rev. Stat. c. 300. this Act, shall apply.

**15.** This Act shall come into force on the day upon which Commencement of Act. it receives the Royal Assent.

## CHAPTER 151.

## An Act to incorporate Lord Dufferin Hospital

*Assented to 17th April, 1924.*

## Preamble.

**W**HEREAS Catharine Dahl, of the town of Orangeville in the county of Dufferin, widow, John Alexander Victor Preston, of the same place, esquire, and Charles Robert McKeown, of the same place, one of His Majesty's counsel learned in the law, as trustees for Lord Dufferin Chapter of the Imperial Order Daughters of the Empire and the Children of the Empire (Junior Branch) and at the request of the said chapter, have, by indenture bearing date the 1st day of October, 1923, granted and conveyed unto Samuel Herbert Rutledge, of the said town of Orangeville, granite dealer, Sophia Elizabeth Smith, of the said town of Orangeville, married woman, James Franklin McDonald, of the township of Caledon in the county of Peel, farmer, Clara Hulse, of the said town of Orangeville, spinster, the said John Alexander Victor Preston, Olive Irvine, of the said town of Orangeville, married woman, the warden of the county of Dufferin, the mayor of the town of Orangeville, and the reeve of the town of Orangeville, certain lands and premises in the said town of Orangeville, in trust for hospital purposes; and whereas the said Lord Dufferin Chapter has built, established and equipped a hospital on the said lands, known as Lord Dufferin Hospital, and has maintained and carried on the same for several years past, for the benefit primarily of the inhabitants of the town of Orangeville and the county of Dufferin and the adjoining municipalities, and the corporations of the county of Dufferin and the town of Orangeville have assisted in the building, establishment and maintenance of the said hospital; and whereas the said Lord Dufferin Chapter and the said trustees are desirous of establishing the said Lord Dufferin Hospital, as a permanent public hospital for the benefit of the said inhabitants, and providing for the proper organization and government of the same, and have appointed the said grantees in the said indenture named to be the first board of directors thereof; and whereas the said grantees in the said indenture named have, by their petition, prayed that they may be incorporated by a special Act of the Ontario Legislature, and that the said indenture, dated the

1st day of October, 1923, a true copy of which is set forth in schedule "A" to this Act, may be sanctioned and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Lord Dufferin Hospital Act, 1924.* <sup>Short title.</sup>

2. The said Samuel Herbert Rutledge, Sophia Elizabeth Smith, James Franklin McDonald, Clara Hulse, John Alexander Victor Preston, Olive Irvine, the warden of the county of Dufferin, the mayor of the town of Orangeville and the reeve of the town of Orangeville, and their successors, are hereby constituted a body corporate and politic by the name of Lord Dufferin Hospital. <sup>Incorporation.</sup>

3. The indenture forming the schedule to this Act and bearing date the 1st day of October, 1923, between the said Catharine Dahl, John Alexander Victor Preston, and Charles Robert McKeown, as trustees for Lord Dufferin Chapter, a chapter of the Imperial Order of the Daughters of the Empire, of the first part, and the said Samuel Herbert Rutledge, Sophia Elizabeth Smith, James Franklin McDonald, Clara Hulse, John Alexander Victor Preston, Olive Irvine, the warden of the county of Dufferin, the mayor of the town of Orangeville and the reeve of the town of Orangeville, of the second part, is hereby sanctioned and confirmed, and all the clauses, provisoes, conditions and provisions of the said indenture are hereby declared to be part of this Act and of the same force and effect as if enacted in the body hereof. <sup>Trust deed confirmed.</sup>

4. All the right, title and interest of the said grantees in the said indenture named, and every of them, in and to the lands and premises in the said indenture described and the hospital and buildings thereon erected, and the hospital plant, equipment and appurtenances thereto belonging, and all other property and effects of the said hospital are hereby vested in Lord Dufferin Hospital, without further conveyance. <sup>Vesting of property.</sup>

5. The corporation hereby constituted, and their successors, shall have all the powers in the said indenture mentioned and provided for, and in the event of any contingency not being provided for in the said indenture, shall have power to make all by-laws, rules and regulations for the effective government and management of the affairs of the said corporation, and for the carrying on, maintenance, management <sup>Powers of corporation.</sup>

and administration of the said hospital, as a public hospital, and all matters and things pertaining thereto.

Power to hold, acquire and dispose of property.

6. The said corporation may take and hold said lands and premises for the purposes aforesaid, and may acquire, hold and possess so much land as may from time to time be necessary for the actual use and occupation of the said corporation, and may sell and dispose of any lands not required for the actual use or occupation of the said corporation, and may take gifts, grants, legacies and bequests of money or personal property for the use or benefit of the said hospital, and, in addition to such lands as may be required for the actual use and occupation of the corporation as aforesaid, may take by gift or devise and hold any lands, tenements or hereditaments, or any interest therein, which may be conveyed or devised to the corporation for the use or benefit of the said hospital, but no such last mentioned lands, tenements or hereditaments shall exceed in the whole the annual value of five thousand dollars, or shall be held for a longer period than seven years from the acquisition thereof.

Commencement of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "A".

This indenture made in triplicate the 1st day of October, in the year of our Lord, one thousand nine hundred and twenty-three,

### BETWEEN:

*Catharine Dahl*, of the Town of Orangeville in the County of Dufferin, Widow; *John Alexander Victor Preston*, of the same place, Esquire, and *Charles Robert McKeown*, of the same place, one of His Majesty's Counsel learned in the Law, as Trustees for Lord Dufferin Chapter, a chapter of the Imperial Order of the Daughters of the Empire,

of the first part;

and

*Samuel Herbert Rutledge*, of the said Town of Orangeville, Granite Dealer; *Sophia Elizabeth Smith*, of the said Town of Orangeville, Married Woman; *James Franklin McDonald*, of the Township of Caledon in the County of Peel, Farmer; *Clara Hulse*, of the said Town of Orangeville, Spinster, the said *John Alexander Victor Preston*, *Olive Irvine*, of the said Town of Orangeville, Married Woman, the Warden of the County of Dufferin, the Mayor of the Town of Orangeville and the Reeve of the Town of Orangeville,

of the second part.

Whereas the said parties of the first part are seised in fee simple of the lands and premises hereinafter mentioned, as Trustees for Lord Dufferin

Chapter of the Imperial Order of the Daughters of the Empire, an unincorporated Primary Chapter of "The Imperial Order Daughters of the Empire and the Children of the Empire (Junior Branch)," hereinafter called Lord Dufferin Chapter or the Chapter;

And whereas the said Lord Dufferin Chapter has established and equipped a hospital known as Lord Dufferin Hospital, on the said lands, and has maintained and carried on the same for several years past, for the benefit primarily of the inhabitants of the Town of Orangeville and the County of Dufferin and the adjoining municipalities;

And whereas the Corporations of the County of Dufferin and the Town of Orangeville have assisted in the establishment and maintenance of the said hospital and have contributed substantial sums of money thereto;

And whereas the said Lord Dufferin Chapter and the said parties of the first part are desirous of establishing the said Lord Dufferin Hospital, as a permanent hospital for the benefit of the said inhabitants, and of providing for the proper organization and government of the same, and have appointed the said parties of the second part to be the Board of Directors thereof;

And whereas it is intended that the said parties of the second part shall become an incorporated body, either under *The Ontario Companies Act* or by Special Act of the Legislature of Ontario, and the said parties of the second part have agreed to apply for such incorporation;

Now this indenture witnesseth that in consideration of the premises and the sum of one dollar of lawful money of Canada now paid by the said parties of the second part to the said parties of the first part (the receipt whereof is hereby acknowledged), they, the said parties of the first part, Do Grant and Convey unto the said parties of the second part their successors and assigns,

All and singular those certain parcels or tracts of land and premises, situate, lying and being in the Town of Orangeville in the County of Dufferin, and being composed of Lots numbers two (2), three (3), four (4), five (5), six (6) and seven (7) in Block number nine (IX), according to registered Plan 212 for the said Town of Orangeville;

To have and to hold the same unto and to the use of the said parties of the second part their successors and assigns forever in fee simple, in trust for hospital purposes and for the reception and treatment of sick and injured persons of all races and creeds without distinction, on the terms, conditions and provisos hereinafter contained and subject to such by-laws, rules and regulations as shall from time to time be in force for the government and management of the said hospital, and subject particularly to the following provisions:—

1. Until incorporation as aforesaid shall be obtained the said parties of the second part and their successors shall carry on and manage the said hospital in the manner and with all the rights, powers and privileges herein provided and contained.

2. The said parties of the second part shall as soon as practicable apply for and if possible obtain incorporation as a body corporate and politic either under *The Ontario Companies Act*, or by Special Act of the Legislature of Ontario, under the name of "Lord Dufferin Hospital," and after such incorporation the property hereby conveyed shall be vested in the said corporate body to be called Lord Dufferin Hospital, hereinafter referred to as the corporation; and the affairs of such corporation shall thereafter be administered, carried on and managed by a Board, who shall have and bear the name of Directors and be known as The Board of Directors of Lord Dufferin Hospital, hereinafter referred to as the Board of Directors or the Board; and the first Board of Directors shall consist of the parties hereto of the second part.

3. The Warden of the County of Dufferin for the time being and the Mayor and Reeve of the Town of Orangeville for the time being shall be *ex officio* members of the Board of Directors.

4. Notwithstanding anything herein contained, the first Board of Directors, other than the Warden of the County of Dufferin and the Mayor and Reeve or other representative of the Town of Orangeville, shall hold office until and shall retire in the order and at the times following, that is to say:—The said Samuel Herbert Rutledge and Sophia Elizabeth Smith immediately before the first annual meeting, the said James Franklin McDonald and Clara Hulse immediately before the second annual meeting and the said John Alexander Victor Preston and Olive Irvine immediately before the third annual meeting hereafter, but they shall be eligible for re-appointment and they (if re-appointed) or their successors shall each thereafter hold office for the period fixed by the next following paragraph.

5. Subject to the preceding paragraph, each Director, other than the Warden of the County of Dufferin and the Mayor and Reeve or other representative of the Town of Orangeville, shall retire from the Board of Directors immediately before the third annual meeting of the Board after that at which he assumes or is entitled to assume office; but any Director appointed in succession to another Director who has vacated his seat before the expiration of his term of office shall only retain office until the expiration of the term for which his predecessor was appointed; and any retiring Director shall be eligible for re-appointment.

6. The members of the Board of Directors, other than the Warden of the County of Dufferin and the Mayor and Reeve or other representative of the Town of Orangeville, shall hereafter be appointed by the said Lord Dufferin Chapter and they shall hold office for three years as hereinbefore provided and until their successors shall have been appointed, two Directors retiring and two new Directors being appointed in their place each year, and such appointments shall be made by the said Lord Dufferin Chapter annually within one month immediately preceding the annual meeting of the Board, and the names of the Directors so appointed shall be certified to the Board in writing by the presiding officer and secretary of the meeting at which such appointments were made.

7. If a Director, other than the Warden of the County of Dufferin and the Mayor and Reeve or other representative of the Town of Orangeville, is convicted of an indictable offence, or becomes insane or if, without being authorized by resolution entered on the minutes, he absents himself from the meetings of the Board for six consecutive months, the Board may by resolution declare his seat vacant, and upon any such vacancy occurring or upon the death or resignation of a Director, the Secretary-Treasurer shall forthwith notify the said Lord Dufferin Chapter of the vacancy and the said Chapter shall appoint another person thereto.

8. Whenever it shall happen that the offices of Reeve of the Town of Orangeville and Warden of the County of Dufferin are held by the same person, the Deputy Reeve of the Town of Orangeville for the time being shall be *ex officio* a member of the Board of Directors for and during the continuance of such event, and if there shall be no such Deputy Reeve the Municipal Council of the Town of Orangeville may appoint some other member of the said Council to be a member of the Board of Directors for and during such period.

9. In the event of the said Lord Dufferin Chapter becoming dormant, or ceasing to exist, or neglecting or failing to appoint Directors, or to fill vacancies on the Board as hereinbefore required and provided for, such Directors may be appointed and all such vacancies may be filled by the Municipal Council of the Town of Orangeville, and in any such event and for that purpose the said Council shall have and exercise all the rights, powers and privileges hereinbefore provided to be exercised by the said Lord Dufferin Chapter.

10. The annual meeting of the Board of Directors shall be held on the third Friday of the month of February in each year, or such other day as may be fixed therefor by By-law of the Board, for the purpose of electing a chairman and electing or appointing a Secretary-Treasurer and such other officers and servants as the Board may by By-law provide for, and transacting such other business as may by the by-laws of the Board devolve on such meeting

11. Four Directors, or such greater number as shall be fixed by by-law of the Board, shall constitute a quorum at all meetings of the Board.

12. The Board of Directors shall, subject to the provisions herein contained and the Letters Patent or Act of the Legislature incorporating Lord Dufferin Hospital and any General Regulations Respecting Hospitals in force in Ontario, have the power to make, and from time to time to alter, amend and repeal, by-laws, rules and regulations for the administration, management and good government of the said Hospital and all the property, affairs and business of the Corporation; to provide for and regulate the forms and proceedings incidental to the appointment of Directors, the meetings and proceedings of the Board, the appointment duties, remuneration, discipline and dismissal of all such officers, medical attendants, servants and employees as the Board may deem necessary, the terms and conditions of the reception, treatment and discharge of patients and the fees and charges payable by them, the conduct and management of any dispensary connected with the said Hospital and of any medical, surgical or other scientific lectures, classes or clinics connected with the Hospital or under the control of the Corporation, the purchase, care and maintenance of household, medical, surgical, chemical or scientific instruments, appliances, equipment or supplies, the attendance of the members of the medical profession upon the said Hospital and the patients thereof, and the attendance, discipline, education and training of nurses; and generally to provide for and regulate all matters and things pertaining or incidental to the management, operation or maintenance of a public hospital or in any wise within the province or powers of the said Corporation.

13. This conveyance is subject to an existing mortgage on the said lands to Samuel K. Stinson, to secure \$4,500.00 and interest as therein mentioned, which mortgage shall be assumed and paid by the said parties of the second part and the said Corporation; and the Board of Directors may mortgage or pledge any of the lands of the Corporation, to an amount not exceeding one-fourth of the value thereof, for the purpose of renewing or paying the said mortgage, or for the purpose of borrowing money for the erection of additional buildings or the completion or extension of the present buildings whenever required for the purposes of the Corporation.

14. In the interpretation and application of these presents, words of masculine gender shall, where required by the context, be read to include the corresponding feminine gender.

In witness whereof the parties hereto have hereunto set their hands and seals.

SIGNED, SEALED AND DELIVERED  
in the presence of:

EMILY McKAY.

CATHARINE DAHL.  
J. A. V. PRESTON.  
C. R. McKEOWN.  
S. H. RUTLEDGE.  
SOPHIA E. SMITH.  
JAS. F. McDONALD.  
CLARA HULSE.  
J. A. V. PRESTON.  
OLIVE IRVINE.  
ARCHIE VANCE, *Warden*.  
C. V. JEFFERS, *Mayor*.  
W. J. GILLESPIE, *Reeve*.

[SEAL].



## CHAPTER 152.

An Act respecting the Royal Ottawa  
Sanatorium.

*Assented to 17th April, 1924.*

Preamble.

**W**HEREAS the corporation of the City of Ottawa has, by its petition, represented that in or about the year 1909, under the authority of chapter 117 of the Acts of the Legislature passed in that year, the said corporation established in the said city a sanatorium for the reception, care and treatment of persons suffering from tuberculosis, and has since maintained and extended the same; that the existing buildings of the said sanatorium are no longer adequate to take care of the persons seeking treatment therein; that the corporation proposes to alter and extend such buildings, and to erect certain additional buildings, one of which is urgently required for the care and treatment of children, and another to accommodate the laundry and the heating plant of the said sanatorium; that it is necessary for such purposes to acquire by expropriation additional land; that the corporation has received gifts of certain large sums of money from persons charitably inclined, which it holds in trust for the purpose of erecting such buildings; that certain other moneys have been raised for such purposes, and for the acquisition of such lands, upon debentures of the corporation; that the corporation does not possess a general power to expropriate lands for the purposes of the said sanatorium, and that it is desirable that the said corporation should possess such power; and whereas the said corporation has prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Royal Ottawa Sanatorium Act, 1924.*



**2.** The hospital or sanatorium for the reception, care and treatment of persons suffering from tuberculosis, established by the corporation of the City of Ottawa under the provisions of chapter 117 of the Acts of the Legislature passed at the session thereof held in the ninth year of the reign of His late Majesty, King Edward VII, shall be known, and may be referred to in all Acts, by-laws, agreements and documents affecting the same, as the "Royal Ottawa Sanatorium."

Royal  
Ottawa  
Sanatorium

**3.—**(1) The council of the said corporation may, without the consent of the owner thereof, or of any person interested therein, provide by by-law for entering upon and may enter upon, take, use and expropriate all such land as the said council shall deem necessary for the purposes of the Royal Ottawa Sanatorium, making due compensation therefor to the owner thereof, and to all persons having any interest therein.

Expropria-  
tion of  
land.

(2) If such land is required for the purpose of enlarging or otherwise improving the said sanatorium, the powers conferred by subsection 1 of this section shall not be exercised, unless the Inspector of Prisons and Public Charities reports that it is necessary for the purposes of the sanatorium, and approves of the plans and improvements for which the land is required, and his report is approved by the Lieutenant-Governor in Council.

Approval of  
Lieutenant-  
Governor in  
Council in  
certain  
cases.

(3) Any approval heretofore given in accordance with subsection 2 of this section shall be deemed to be an approval given under the provisions of such subsection.

Approval  
heretofore  
given.

(4) The provisions of *The Consolidated Municipal Act, 1922*, and of *The Municipal Arbitrations Act* as to taking land compulsorily and making compensation therefor, and as to the manner of determining and paying the compensation, shall *mutatis mutandis* apply to the corporation and to the exercise by it of the powers conferred by subsection 1 of this section.

Application  
of provisions  
of 1922, c.  
72 and  
Rev. Stat.,  
c. 199.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.

## CHAPTER 153.

An Act to incorporate The St. Catharines  
General Hospital.*Assented to 17th April, 1924.*

Preamble.

**W**HEREAS The St. Catharines General and Marine Hospital has by its petition represented that it was incorporated by chapter 107 of the Acts of the Parliament of the late Province of Canada passed in the twenty-ninth year of the reign of Her late Majesty Queen Victoria: that such Act was amended by chapter 154 of the Acts passed in the second year of the reign of His Majesty King George the Fifth: that such hospital was established at the time of its incorporation and has been carried on continuously thereafter: that it is desirable and in the interests of the hospital that the said corporation (hereinafter in this Act called the old corporation) be wound up and its property and assets transferred to a new corporation to be created by this Act: that owing to the increased demand for hospital service and accommodation it is necessary to enlarge and improve the hospital and to aid in so doing the corporation of the city of St. Catharines has passed a by-law guaranteeing debentures of the hospital to the amount of \$135,000: that it is in the interests of the said city and the hospital that such by-law be validated and confirmed without obtaining the assent of the electors thereto: and whereas the old corporation has by its petition prayed that an Act may be passed for such purposes: and whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts, as follows:—

Short title.

1. This Act may be cited as *The St. Catharines General Hospital Act, 1924.*

Incorporation.

2. The persons hereinafter named and their successors in office, with the mayor and treasurer for the time being of the city of St. Catharines, are hereby constituted and shall be a corporation, under the name of "The St. Catharines General

Hospital"

Hospital" (hereinafter called the new corporation) for the purposes and with the powers herein mentioned.

3. The said persons, namely, John G. Moore, Jabez Newman, Reuben W. Leonard, Arthur L. Bishop, James D. Chaplin, William H. Merritt, Frank C. McCordick, Albert F. Fifield, J. Ivan McSloy, James K. Kernahan, William C. Turnbull and George B. Burson, and their successors in office, with the said mayor and treasurer, shall constitute the Board of Governors (hereinafter called the Board) of the said new corporation, and the said persons named, with the present said mayor and treasurer, shall be the first Board.

4. Upon a vacancy occurring by death, resignation or otherwise in the office of any of the Board, other than the said mayor or treasurer, his successor shall be appointed by the Board.

5. The Board may, by resolution passed by a two-thirds vote of the members present at a meeting duly called for that purpose, declare the seat of any member, other than the said mayor or treasurer, to be vacant.

6. The Board shall, until their number is changed as herein provided, consist of twelve members, in addition to the mayor and treasurer, but such number may from time to time be increased or decreased by by-law of the Board passed at a special meeting called for the purpose: provided that the number shall never be less than nine. The Board shall, in any by-law which may be passed to increase or decrease such number, have power to prescribe and govern the manner in which the change of number shall be effected.

7. The Board shall appoint annually, and at its first meeting of the year, one of its number to be chairman who shall hold office for one year and until his successor is appointed, and the Board may, from time to time, appoint one of its number to be vice-chairman, who shall in the absence of the chairman, or in case his office is vacant, act in his place.

8. The services of the members of the Board shall be given without remuneration, except for actual disbursements approved by the Board.

9. All properties, real and personal, and the undertaking and assets, with all the rights, powers, privileges and immunities now vested in, owned, held, possessed or enjoyed by the old corporation are hereby vested in the new corporation for its purposes, without the necessity of any other grant, conveyance, transfer, assignment or vesting thereof but subject

to the provisions of this Act and to the terms of any grant, trust, devise or bequest heretofore made or declared respecting the same, or any part thereof, and to all obligations, debts, mortgages, charges and liabilities in any way affecting the same, or any part thereof, or in any way due or owing by or from the old corporation.

Powers of  
new cor-  
poration.

**10.** The new corporation shall have full power to continue and carry on the hospital now established and existing, and the powers, purposes, undertakings and business of the old corporation, and also generally to establish and carry on other hospitals, sanatoria, and other similar institutions or undertakings, and to do all things necessary, incidental or usual thereto, or in connection therewith.

Objects.

**11.** The purposes of the new corporation, so far as it may be possible, shall be to carry on the said hospital and all other hospitals, sanatoria or other similar institutions which it may establish, undertake or carry on in perpetuity for the benefit and advantage of the inhabitants of the city of St. Catharines.

Donations  
and gifts  
to hospital.

**12.** For the purposes of the new corporation, all persons and corporations may grant, give, devise and bequeath to it, and, notwithstanding any Act or law respecting mortmain or charitable uses, the new corporation may acquire and take by purchase, lease, gift, devise, bequest, endowment and otherwise, and may continue to hold, lands or tenements or interests therein, moneys, investments, and personal property; and the new corporation may execute and carry out any trust or endowment and terms upon which any land or interest therein, moneys, investments or personal property may be granted, conveyed, given, devised or bequeathed to it.

Income  
fund

**13.** The income from the funds and investments of the new corporation, the moneys received from patients for care and maintenance, the rents, issues and profits and interest or dividends from all properties owned or held by or for the new corporation, except property touching which it has been otherwise ordered by the donors, and all contributions, subscriptions and other moneys or income (including municipal grants) received by or on behalf of the new corporation for the purpose of being applied towards the maintenance of the hospital, or other its properties shall form the income fund of the new corporation, and shall be at the disposal of the Board for its purposes; and the Board may in its discretion, from time to time, appropriate any surplus for the purpose of creating contingent or special funds for the purposes of the new corporation.

**14.** The Board may, from time to time, sell and dispose <sup>Power of sale.</sup> of any of the real or personal properties of the new corporation which no longer may be necessary for its purposes; provided that the proceeds derived from any such sale or disposal shall be held and applied for the purposes of the new corporation.

**15.** The Board may by by-law passed by a two-thirds <sup>Power to borrow money.</sup> vote of the members present at a meeting duly called for that purpose borrow money from time to time for the purposes of the new corporation, and secure its repayment.

**16.** The powers of the new corporation shall be vested in <sup>Authority of Board.</sup> and exercised by the Board, and, without restricting the generality of the foregoing, the Board shall appoint the secretary, bursar or treasurer, superintendents, matrons, medical and surgical staff, nurses, officers, employees, servants and agents, and shall have the control, management and government of the hospital and other hospitals, sanatoria and other institutions established or carried on by the new corporation, and, subject to the provisions of this Act, of all its properties, endowments, funds, assets, income, revenues and expenditures, and the Board shall have power to pass by-laws, resolutions, rules and regulations for the control, management and conduct of the affairs of the new corporation, fixing the salaries, wages, fees and emoluments of all persons appointed by or under the jurisdiction of the Board, and also all matters pertaining to the business, meetings and transactions of the Board, and to fix the quorum necessary for the meetings of the Board, and the Board may act by such committees of or appointed by the Board, as it may deem proper to appoint.

**17.** The superintendent of the hospital or such other of <sup>Authority of Superintendent.</sup> its officers to whom the Board may from time to time delegate the power, may, subject to the approval of the Board, make regulations for the direction of the nurses, employees and servants in regard to their duties and for the conduct and discipline of all patients at or in the hospital, or other hospitals, sanatoria or institutions, and of all visitors thereto, and for the internal conduct and management thereof.

**18.** Subject to the by-laws of the Board, all conveyances <sup>Form of conveyances, etc.</sup> grants, discharges or assignments of any property held by or for the new corporation shall be made by the Board under its corporate seal, attested by the signatures of the chairman or vice-chairman or of some other member of the Board thereto authorized and of such officer of the Board as it may from time to time direct.

**19.** The Board may make regulations for the retirement <sup>Super-annuation.</sup>

and

and superannuation of any person in its employ, and any gratuity or superannuation allowance may be paid out of any fund provided for that purpose or out of the income fund, as the Board shall direct.

Expro-  
piation.

**20.** The Board may with the approval of the Inspector of Hospitals and Charitable Institutions pass by-laws for acquiring or expropriating any land in the City of St. Catharines contiguous to the hospital property or in the county of Lincoln required by the new corporation for hospital purposes, and for such purposes may exercise the powers of expropriation conferred on a municipal corporation; and the provisions of Parts XV and XVI of *The Consolidated Municipal Act, 1922*, shall, *mutatis mutandis*, apply to and govern the exercise of such powers so far as the same are applicable or necessary thereto.

1922, c. 72.

Property of  
hospital not  
liable to  
expro-  
piation by  
municipal  
or other  
corporation.

**21.** No real property or interest therein vested in the new corporation, and used for its purposes shall be liable to be entered upon, used or taken by any municipal or other corporation or by any person possessing the right of taking land compulsorily for any purpose whatsoever; and no power to expropriate real property hereafter conferred on any such corporation or person shall extend to such real property or interest, unless in the Act conferring the power it is made in express terms to apply to such real property.

Mack  
Training  
School.

**22.** Without thereby limiting the general powers hereinbefore conferred, the new corporation may carry on the Mack Training School for nurses heretofore established by the old corporation, and in connection therewith or for other purposes of the new corporation may erect, equip and maintain residences for nurses, superintendents, resident physicians and surgeons of the hospital, and also all other buildings which may be requisite, upon such sites as the Board may deem proper, and may maintain and continue such training school for nurses and may prescribe rules and periods of training for and issue certificates or diplomas to nurses educated therein.

Indigent  
patients,—  
agreement  
with city.

**23.** The new corporation shall afford accommodation as far as possible to indigent patients sent into the hospital or other hospitals or sanatoria established by it on the order of the corporation of the city of St. Catharines upon payment to the new corporation of such rates as may from time to time be agreed upon, and may admit other patients at such rates as may from time to time be prescribed by the Board, and in respect of all patients the Board may by by-law or resolution make such regulations and impose such restrictions as to the Board may seem proper.

**24.** From and after the passing of this Act, the said old corporation shall for all purposes whatsoever be deemed to have been wound up and dissolved, provided always that any valid right or claim existing against the said old corporation shall not be prejudiced thereby, but all such rights and claims shall remain and may be enforced against the new corporation; and chapter 107 of the Statutes of the Province of Canada, 1865, and chapter 154 of the Statutes of the Province of Ontario, 1912, are hereby repealed.

Old corporation wound up. 1865, c. 107, and 1912, c. 154, repealed.

**25.** Notwithstanding any of the provisions of *The Consolidated Municipal Act, 1922*, By-law No. 3535 of the corporation of the city of St. Catharines set forth in the schedule to this Act is hereby validated and confirmed and shall be binding upon the said municipal corporation and the rate-payers thereof.

By-law No. 3535 St. Catharines confirmed.

**26.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act.



## SCHEDULE.

## CITY OF ST. CATHARINES.

## BY-LAW No. 3535.

A by-law to guarantee debentures of The St. Catharines General and Marine Hospital for the sum of \$135,000.

Whereas the Board of Trustees of The St. Catharines General and Marine Hospital finds it essential to undertake immediate extensions, additions, alterations and improvements to and at the Hospital in order to provide adequate accommodation for the needs of the City, and the said Board has had under consideration plans for such present Hospital development and has ascertained that the sum of \$290,000 will be requisite to be available therefor.

And whereas through the munificence of certain citizens of St. Catharines the sum of approximately \$155,000 has been donated or assured towards the said required amount, leaving only the sum of \$135,000 necessary to be provided, and the said Board has determined and authorized that such sum of \$135,000 be raised by an issue of debentures of the said Hospital to the said amount.

And whereas the said Board has requested that such Hospital debentures be guaranteed by the Corporation.

And whereas the said Hospital being a civic institution serving the community and it being an essential in the interests of the health and general welfare of the citizens that the Hospital be adequate to such needs and purposes, it is deemed desirable by the Council and in the interests of the Corporation that such request be granted.

Therefore the Council of the Corporation of the City of St. Catharines enacts as follows:

1. That authority is hereby given for the guarantee by the Corporation of the City of St. Catharines of the issue of Serial debentures of The St. Catharines General and Marine Hospital to the amount of One hundred and thirty-five thousand dollars, such debentures to be issued within two years from the time when this by-law shall take effect and to be in denominations of not less than \$50 each payable within twenty years from the time of the issue thereof and bearing interest at the rate of five per centum per annum payable half yearly, and the payment of such debentures and of the principal and interest thereof is hereby guaranteed.

2. That the said guarantee of the Corporation shall be expressed by endorsement on the debentures of the said issue according to such form as may be approved by resolution of the Council, and which endorsement shall be sealed with the corporate seal and be signed by the Mayor and Treasurer.

3. That all matters pertaining or incidental to the said guarantee or subsequently arising therefrom shall be dealt with and provided for as may be necessary from time to time in accordance with any resolution of the Council in that behalf.

4. This by-law shall come into force and take effect as soon as it shall have been validated by Act of the Legislative Assembly of the Province of Ontario.

Passed this 27th day of February, 1924.

(Sgd.) J. ALBERT PAY, Clerk.  
JACOB SMITH, Mayor.

(Seal)



## CHAPTER 154.

An Act to authorize the Law Society of Upper  
Canada to admit Donald John Livingston  
as a student-at-law.

*Assented to 17th April, 1924.*

**W**HEREAS Donald John Livingston, of the Town of Forest, in the County of Lambton, has, by his petition, set forth that he was duly articulated as a student-at-law to a practicing solicitor in Ontario on the twenty-sixth day of September, A.D. 1921, and that he has served under such articles up till the date of his petition, and during the period mentioned has performed all the duties required of a law student whose articles had been properly filed as from said date and that on the twenty-sixth day of September, A.D. 1921, he had obtained the necessary certificate of qualification to enable him to enter upon the profession of law, but by error, instead of the articles having been then forwarded to be filed with the said society, such articles, together with a cheque for his entrance fee and the certificate of his having passed the necessary examinations in order to be admitted as a student-at-law, were placed in the safe and the error was not discovered until shortly before the first day of September, A.D. 1923, whereupon he then filed his articles and made a special application to the Benchers of the said society and was allowed to attend the lectures in connection with the Law School at Osgoode Hall during the present fall and winter months, but on account of the rules of the said society, it was found that the articles could not be filed as of the date they were entered into; and whereas the said Donald John Livingston has prayed that an Act may be passed to enable the Law Society of Upper Canada to admit him as a five-year student as of the date of the twenty-sixth day of September, A.D. 1921, and to attend the law lectures in connection with the Law School and write upon the examinations in connection with his intended profession as if his articles had been filed on that date; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. It shall and may be lawful for the Law Society of Upper Canada at any time hereafter to admit the said Donald <sup>Admission as student-</sup>at-law.

John

John Livingston as a five-year student-at-law as of the twenty-sixth day of September, A.D. 1921, and to permit the said Donald John Livingston to attend the Law School lectures and take the examinations at Osgoode Hall as if his articles had been filed on the twenty-sixth day of September, A.D. 1921.

## CHAPTER 155.

An Act to authorize Joseph P. Savage to  
practise Medicine, Surgery and  
Midwifery.

*Assented to 17th April, 1924.*

**W**HEREAS Joseph P. Savage, of the town of Oakville, <sup>Preamble.</sup>  
has by petition represented that he has written on the  
Junior Matriculation examination for entrance into the  
University of Toronto and passed in all the prescribed subjects  
except mathematics and Greek composition; that in or about  
the year 1902 he registered at the University of Toronto as a  
student in medicine and spent a period of five years in actual  
professional studies and clinical work as required by the  
curriculum of the College of Physicians and Surgeons of  
Ontario; that in 1908 he paid to the College of Physicians and  
Surgeons the regular registration fee and was duly registered,  
subject only to the condition that he should complete matricula-  
tion in the subjects in which he had not attained full standing,  
and in the same year he wrote on and passed the Primary  
examination prescribed by the Medical Council; that in 1910  
he again wrote at the Junior Matriculation examination and  
obtained standing in Greek authors; that in the same year he  
made application to the Medical Council for leave to write  
on the final examination prescribed by the Medical Council,  
notwithstanding the fact that he had not completed his full  
matriculation, and was granted the right to do so on condition  
that he was not to be given the result until he had completed  
the Junior Matriculation examination; that accordingly in  
1912 he wrote on such final examination and, although he was  
not given the result of it still in the belief that he had passed  
this examination he entered upon and continued for four  
months a course in the subjects of mathematics and Greek  
composition at the Meisterschaft School of Languages and  
Natural Science and obtained a certificate from that school  
that he had covered in a satisfactory manner the work on  
those subjects required for Junior Matriculation; that early in  
1913 while taking this course and notwithstanding the fact  
that he had been already allowed to write on the final Council  
examination he was informed by an official of the College of  
Physicians and Surgeons that he must complete his Junior  
Matriculation before he would be allowed to write on such

final examination and in consequence of this ruling it became impossible for him to take such final examination before 1914; that since that year for financial and other reasons he has not been in a position to continue his studies and again write on such final examination; and whereas the said petitioner has further represented that he has had considerable hospital experience, having served for one year in the Hamilton General Hospital and for six months in St. Michael's Hospital, and has also had an extended experience in the actual practise of medicine as assistant to a number of duly qualified medical practitioners who have certified to his fitness to practise medicine; that in view of the facts above set out it would not be reasonable to now call on the petitioner to complete the Junior Matriculation examination; and whereas the said petitioner has by his petition prayed that an Act may be passed authorizing him to practise medicine, surgery and midwifery in Ontario; and whereas it is expedient to grant the prayer of the said petition, subject as hereinafter provided.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

Authority  
to practise  
medicine,  
etc.

1. The said Joseph P. Savage shall be entitled to practise medicine, surgery and midwifery in Ontario and to be registered in the Register kept by the College of Physicians and Surgeons of Ontario upon filing with the said College a certificate of the Provincial Secretary that he has passed in a satisfactory manner an examination before a Board composed of three duly qualified medical practitioners on the subjects of medicine, surgery and obstetrics supplementary to the examination already taken by him in those subjects in 1912 as prescribed for the final Medical Council examination in that year.

Commence-  
ment of  
Act.

2. This Act shall come into force on the day upon which it receives the Royal Assent.

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First Session, Sixteenth Legislature,  
14 George V, 1924.

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# TABLE OF PUBLIC STATUTES 1914-1924

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TABLE SHOWING ALL ACTS CONTAINED IN THE REVISED STATUTES OF  
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NOTE.—This table has been prepared for the convenience of the public under the instructions of the Attorney-General. Each Act, with its amendments, is shown alphabetically in the table under the heading of its short title, if it has one, otherwise under its long title. Numerous subject matter or collective titles have been inserted by way of cross-reference to facilitate the finding of the different Acts.

*Abbreviations.*—*aff.*=affecting; *am.*=amending; *c.*=chapter; *rep.*=repealing; *R.S.O.*=Revised Statutes of Ontario; *s.*=section; *sub.*=substituting.

## A

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ACCIDENTAL FIRES ACT. R.S.O. 1914, c. 118.

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ADMINISTRATION OF JUSTICE EXPENSES ACT. R.S.O. 1914, c. 96; 1914, c. 21, ss. 25-26 *am.*; 1916, c. 24, ss. 17-18 *am.*; 1917, c. 29 *am.*; 1918, c. 25 *am.*; 1919, c. 25, s. 14 *am.*; 1919, c. 25, ss. 38, 39 *am.*; 1922, c. 51 *am.*; 1924, c. 36 *am.*

ADOLESCENT SCHOOL ATTENDANCE ACT. R.S.O. 1914, c. 275; 1916, c. 62 *rep.*; 1919, c. 78, *rep.* and *sub.*; 1921, c. 89, s. 27 *am.*; 1923, c. 55 *am.*

ADOPTION ACT. 1921, c. 55.

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AGRICULTURAL ASSOCIATIONS ACT. R.S.O. 1914, c. 46; 1916, c. 24, s. 3 *am.*; 1920, c. 27 *am.*; 1921, c. 29 *am.*

AGRICULTURAL COLLEGE ACT. R.S.O. 1914, c. 281; 1916, c. 24, s. 44 *am.*

AGRICULTURAL DEVELOPMENT ACT. 1921, c. 32; 1922, c. 36 *am.*; 1923, c. 15 *am.*

AGRICULTURAL DEVELOPMENT FINANCE ACT. 1921, c. 31.

AGRICULTURAL REPRESENTATIVES ACT. 1918, c. 19.

- AGRICULTURAL SOCIETIES ACT. R.S.O. 1914, c. 47; 1914, c. 21, ss. 9-13 am.; 1917, c. 27, ss. 14-15 am.; 1918, c. 20, ss. 12-14 am.; 1919, c. 25, ss. 6-7 am.; 1920, c. 28 am.; 1921, c. 30 am.; 1924, c. 29 am.
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- AMUSEMENTS TAX ACT. 1916, c. 9; 1917, c. 27, ss. 64-65 am.; 1918, c. 20, ss. 54-55 am.; 1920, c. 11 am.
- AN ACT TO AUTHORIZE AND CONFIRM GRANTS BY MUNICIPAL CORPORATIONS FOR PATRIOTIC PURPOSES. 1915, c. 37; 1916, c. 40 am.; 1917, c. 41 am.; 1918, c. 34 am.; 1919, c. 25, s. 33 am., s. 44 aff.
- AN ACT TO CONFER CERTAIN POWERS RESPECTING HOSPITALS ON THE LIEUTENANT-GOVERNOR IN COUNCIL. 1920, c. 108.
- AN ACT TO CONFIRM THE TITLE OF THE GOVERNMENT OF CANADA TO CERTAIN LANDS AND INDIAN LANDS. 1915, c. 12.
- AN ACT TO CREATE THE TERRITORIAL AND PROVISIONAL JUDICIAL DISTRICT OF TEMISKAMING. 1912, c. 21; 1914, c. 21, s. 1 am.; 1915, c. 20, s. 28 am.
- AN ACT TO ENABLE THE EXECUTORS OF THE LATE GEORGE TAYLOR FULFORD TO MAKE A CERTAIN GIFT OUT OF HIS ESTATE FOR PATRIOTIC PURPOSES. 1915, c. 11.
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- AN ACT TO INCORPORATE THE ONTARIO CO-OPERATIVE DAIRY PRODUCTS, LIMITED. 1922, c. 65.
- AN ACT TO INCORPORATE THE TOWN OF KAPUSKASING. 1921, c. 36.
- AN ACT TO LICENSE BILLIARD AND POOL ROOMS AND BOWLING ALLEYS. 1921, c. 14; 1922, c. 85, s. 2, rep.
- AN ACT TO PROVIDE FOR THE PAYMENT OF AN ANNUITY TO ALICE, LADY WHITNEY. 1915, c. 9.
- AN ACT FOR THE ESTABLISHMENT OF THE DEPARTMENT OF HEALTH. 1924, c. 69.
- AN ACT FOR RAISING MONEY ON THE CREDIT OF THE CONSOLIDATED REVENUE FUND OF ONTARIO. 1914, c. 9; 1915, c. 4, c. 5, s. 5 am.; 1916, c. 2; 1917, c. 2; 1918, c. 2; 1919, c. 2; 1920, c. 6; 1921, c. 7; 1922, c. 8; 1923, c. 2; 1924, c. 9.
- AN ACT TO REDUCE PROPERTY QUALIFICATIONS OF CANDIDATES FOR MEMBERSHIP IN MUNICIPAL COUNCILS. 1920, c. 59.
- AN ACT RESPECTING CERTAIN BEQUESTS OF THE LATE GEORGE CUMMINGS BUTLER DWYER BROPHY. 1915, c. 10.
- AN ACT RESPECTING THE FILING OF CLAIMS AGAINST CERTAIN COMPANIES OR THEIR PROPERTIES. 1922, c. 33.
- AN ACT RESPECTING WORKS AND MEASURES TO RELIEVE UNEMPLOYMENT. 1922, c. 41.
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- ANDREW MERCER REFORMATORY ACT. R.S.O. 1914, c. 288; 1919, c. 83, ss. 9-10 am.
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 BEACHES AND RIVER BEDS ACT. R.S.O. 1914, c. 245.  
 BED OF NAVIGABLE WATERS ACT. R.S.O. 1914, c. 31.  
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CENTRAL ONTARIO POWER ACT. 1916, c. 18.

CHARITABLE INSTITUTIONS. *See* Hospitals and Charitable Institutions Act; Public Institutions Amendment Act; Statute Law Amendment Act, 1914, c. 21, s. 66; 1916, c. 24, s. 46; 1917, c. 27, s. 57.

CHARITIES ACCOUNTING ACT. 1915, c. 23; 1916, c. 24, s. 50 am.; 1919, c. 32, s. 5 am.; 1921, c. 47, s. 8 am.

CHARITY GIFTS TO PROVINCE FOR PURPOSE OF. 1915, c. 20, s. 25.

CHARTERED ACCOUNTANTS ACT. R.S.O. 1914, c. 169.

CHEESE. *See* Cheese and Butter Exchanges Act; Consolidated Cheese Factories Act; Dairy Products Act; Dairy Standards Act.

CHEESE AND BUTTER EXCHANGES ACT. R.S.O. 1914, c. 191.

CHILDREN. *See* Adoption Act; Auxiliary Classes Act; Children's Protection Act; Children of Unmarried Parents Act; Deserted Wives' and Children's Maintenance Act; Illegitimate Children's Act; Immigrant Children's Protection Act; Infants Act; Juvenile Courts Act; Legitimation Act; Maternity Boarding Houses Act; Mothers' Allowances Act.

CHILDREN OF UNMARRIED PARENTS ACT. 1921, c. 54.

CHILDREN'S PROTECTION ACT OF ONTARIO. R.S.O. 1914, c. 231; 1914, c. 21, ss. 49-52 am.; 1916, c. 53 am.; 1918, c. 20, s. 42 a.m.; 1919, c. 65 am.; 1922, c. 92 am.; 1924, c. 70, s. 20 rep.

CIRCUS. *See* Travelling Shows Act.

CITY AND SUBURBS' PLANS ACT. R.S.O. 1914, c. 194; 1917, c. 44 rep.; *See* Planning and Development Act.

CIVIL SERVICE. *See* Public Service.

COBALT, TOWN OF. *See* School Law Amendment Act, 1919, c. 73, s. 20.

COCHRANE, TOWN OF. *See* Municipal Debentures Guarantee Act; Debentures Guarantee Acts; District of Cochrane Act.

COLLEGE OF ART ACT. R.S.O. 1914, c. 284; 1919, c. 82 rep.; 1920, c. 105.

COLONIZATION ROADS ACT. R.S.O. 1914, c. 41; 1914, c. 17 aff.; 1920, c. 25 am.

COMMISSIONERS FOR TAKING AFFIDAVITS ACT. R.S.O. 1914, c. 77; 1923, c. 23 am.

COMMISSIONERS OF POLICE FOR COUNTIES. 1914, c. 21, s. 24.

COMMUNITY HALLS ACT. 1919, c. 55; 1920, c. 72, sub.; 1921, c. 70 am.; 1922, c. 83 am.; 1923, c. 47 am.; 1924, c. 64 am.

COMPANIES. *See* Ontario Companies Act; Extra-Provincial Corporations Act.

COMPENSATION. *See* Industrial and Mining Lands Compensation Act; Workmen's Compensation Act; Workmen's Compensation for Injuries Act.

CONDITIONAL SALES ACT. R.S.O. 1914, c. 136; 1916, c. 24, s. 23 am.

CONNAUGHT LABORATORIES. *See* University Aid Act.

CONSOLIDATED CHEESE FACTORIES ACT. 1923, c. 16.

CONSOLIDATED MUNICIPAL ACT. 1922, c. 72; 1923, c. 41 am.; 1924, c. 53. am.

CONSOLIDATED REVENUE FUND ACT. R.S.O. 1914, c. 20; *See* also 1914, c. 9; 1915, c. 4; 1916, c. 2; 1917, c. 2; 1918, c. 2; 1919, c. 2; 1920, c. 6; 1921, c. 7; 1922, c. 8; 1923, c. 2; 1924, c. 9.

CONSOLIDATED SCHOOLS ACT. 1919, c. 75; 1920, c. 99, ss. 11-14 am.; 1921, c. 89, s. 23 am.; 1922, c. 98, ss. 16-17 aff., s. 18 am.

- CONSTABLES ACT. R.S.O. 1914, c. 94; 1915, c. 20, s. 12 am.; 1921, c. 45, ss. 5-6 am.; 1922, c. 50 am.
- CONSTABLES: COUNTY POLICE COMMISSIONERS. 1914, c. 21, s. 24.
- CONSTITUTIONAL QUESTIONS ACT. R.S.O. 1914, c. 85.
- CONTINUATION SCHOOLS ACT. R.S.O. 1914, c. 267; 1914, c. 21, s. 58 am.; 1915, c. 43, ss. 3-4 am.; 1916, c. 24, ss. 37-38 am.; 1917, c. 27, ss. 47-48 am.; 1918, c. 51, s. 5 am.; 1919, c. 6 am.; 1920, c. 99, s. 4 am.; 1921, c. 89, ss. 11-12 am.; 1924, c. 82, s. 14 am.
- CONTRIBUTORY NEGLIGENCE ACT. 1924, c. 32.
- CONVEYANCING. *See* Conveyancing and Law of Property Act; Land Titles Act; Land Transfers Tax Act; Registry Act; Short Forms of Conveyances Act.
- CONVEYANCING AND LAW OF PROPERTY ACT. R.S.O. 1914, c. 109; 1914, c. 2, s. 4 am.; 1922, c. 53 am.
- CO-OPERATIVE CREDIT SOCIETIES ACT. 1922, c. 64.
- CO-OPERATIVE MARKETING LOAN ACT. 1920, c. 54.
- CORONERS ACT. R.S.O. 1914, c. 92; 1914, c. 22, c. 41, s. 17 am.; 1916, c. 55, s. 5 aff.; 1918, c. 24 am.; 1920, c. 39 am.; 1922, c. 49 am.; 1923, c. 24 am.; 1924, c. 35 am.
- CORPORATIONS TAX ACT. R.S.O. 1914, c. 27; 1914, c. 11 am.; 1915, c. 8 am.; 1916, c. 8 am.; 1920, c. 9 am.; 1921, c. 12 am.; 1922, c. 12 am. c. 13 aff., c. 14 am.; 1924, c. 11 am.
- COSTS OF DISTRESS ACT. R.S.O. 1914, c. 78.
- COUNTIES REFORESTATION ACT. R.S.O. 1914, c. 240; 1921, c. 81 am.
- COUNTY BOARD OF POLICE COMMISSIONERS. 1914, c. 21, s. 24.
- COUNTY COURT JUDGES CRIMINAL COURTS ACT. R.S.O. 1914, c. 61.
- COUNTY COURTS ACT. R.S.O. 1914, c. 59; 1914, c. 21, s. 16 am.; 1916, c. 24, s. 7 am.; 1918, c. 21 am.; 1919, c. 25, s. 10 am., s. 44 aff.; 1920, c. 32 am.; 1923, c. 22 am.
- COUNTY JUDGES ACT. R.S.O. 1914, c. 58; 1916, c. 24, s. 6 am.; 1919, c. 26 am.; 1921, c. 37 am.
- COUNTY PUBLICITY ACT. 1914, c. 19.
- COUNTY OF YORK RADIAL RAILWAY ACT. 1922, c. 34.
- COURTS. *See* Administration of Justice Expenses Act; County Court Judges Criminal Courts Act; County Courts Act; County Judges Act; Division Courts Act; Dominion Courts Act; Extra-Judicial Services Act; General Sessions Act; Judicature Act; Jurors Act; Justices of the Peace Act; Magistrates Act; Mining Court Act; Police Magistrates Act; Privy Council Appeals Act; Surrogate Courts Act.
- CREAM. *See* Cream and Milk Purchase Act; Cream Purchases Act; Dairy Products Act; Dairy Standards Act.
- CREAM AND MILK PURCHASE ACT. 1920, c. 85.
- CREAM PURCHASES ACT. 1919, c. 63; 1920, c. 85 rep.
- CREDITORS' RELIEF ACT. R.S.O. 1914, c. 81.
- CROWN ADMINISTRATION OF ESTATES ACT. R.S.O. 1914, c. 73; 1918, c. 20, s. 17 am.; 1919, c. 32, s. 2 am.; 1921, c. 47, s. 9 am.
- CROWN ATTORNEYS. *See* Crown Attorneys Act; Toronto and York Crown Attorneys Act.
- CROWN ATTORNEYS ACT. R.S.O. 1914, c. 91; 1914, c. 21, s. 23 am.; 1918, c. 20, s. 21 am.; 1919, c. 25, s. 13 am.; 1921, c. 43, c. 44, s. 9 am.; 1924, c. 34 am.
- CROWN LANDS. *See* Returned Soldiers' and Sailors' Land Settlement Act; Veterans' Land Grant Act; Veterans' Land Grant Amendment Act.
- CROWN TIMBER ACT. R.S.O. 1914, c. 29; 1914, c. 12 aff.; 1915, c. 20, s. 4 am.; 1916, c. 24, s. 48 am.; 1919, c. 11 aff.; 1920, c. 14 aff.; 1924, c. 16 am.
- CROWN TIMBER. *See* Purchase of Timber Limits of Pembroke Lumber Company.
- CROWN WITNESSES ACT. R.S.O. 1914, c. 97; 1917, c. 27, s. 24 am.; 1922, c. 52 am.
- CULLERS. *See* Ontario Cullers Act.
- CULTIVATION. *See* Vacant Land Cultivation Act.
- CURRENT RATE OF INTEREST ACT. 1917, c. 8; 1921, c. 8 am.
- CUSTODY OF DOCUMENTS ACT. R.S.O. 1914, c. 125; 1916, c. 24, s. 21 am.; 1918, c. 20, s. 24 am.
- CUSTODY OF RECORDS. 1916, c. 25.

DAIRY. *See* An Act to Incorporate the Ontario Co-operative Dairy Products, Limited; Consolidated Cheese Factories Act; Dairy Products Act; Dairy Standards Act.

- DAIRY PRODUCTS ACT. R.S.O. 1914, c. 223; 1916, c. 24, s. 30 am.  
 DAIRY STANDARDS ACT. 1916, c. 52; 1917, c. 52 am.; 1921, c. 75 am.  
 DAMAGE BY FLOODING ACT. R.S.O. 1914, c. 86.  
 DAMAGE BY FUMES ARBITRATION ACT. 1921, c. 85; 1924, c. 76 rep. and sub.  
 DEBENTURES. *See* Township of Whitney Debentures Act.  
 DEBENTURES' GUARANTEE ACTS. 1919, c. 4; 1920, c. 7; 1923, c. 6.; 1924, c. 3.  
 DEBT COLLECTORS ACT. R.S.O. 1914, c. 227.  
 DECLARATORY ACT. 1922, c. 13.  
 DEFINITION OF TIME ACT. R.S.O. 1914, c. 132; 1918, c. 20, s. 25 am.  
 DENTISTRY ACT. R.S.O. 1914, c. 163; 1920, c. 46 am.  
 DEPARTMENT OF AGRICULTURE ACT. R.S.O. 1914, c. 45; 1916, c. 24, ss. 1-2 am.; 1917, c. 23 am.; 1918, c. 20, s. 11 am.; 1919, c. 25, s. 36 am.  
 DEPARTMENT OF EDUCATION ACT. R.S.O. 1914, c. 265; 1915, c. 43, s. 2 am.; c. 45, s. 1 aff.; 1916, c. 24, s. 34 am.; 1917, c. 27, ss. 38-40 am.; 1918, c. 51, s. 2; 1919, c. 73, ss. 2-6 am.; 1920, c. 99, ss. 2-3 am.; 1921, c. 89, ss. 2-3 am.; 1922, c. 98, ss. 2-3 am.; 1924, c. 82, s. 2 am., c. 83, s. 2 am.  
 DEPARTMENT OF HEALTH. 1924, c. 69.  
 DEPARTMENT OF LABOUR ACT. 1919, c. 22; 1921, c. 77 am.  
 DEPARTMENT OF MINES ACT. 1920, c. 12.  
 DESERTED WIVES' MAINTENANCE ACT. R.S.O. 1914, c. 152; 1920, c. 44; 1922, c. 57, s. 11, rep.  
 DESERTED WIVES' AND CHILDREN'S MAINTENANCE ACT. 1922, c. 57; 1923, c. 32 am.  
 DEVOLUTION OF ESTATES ACT. R.S.O. 1914, c. 119; 1918, c. 20, s. 22 am.; 1919, c. 28 am.; 1921, c. 47, s. 6 am.  
 DISQUALIFICATION ACT. 1919, c. 6; 1922, c. 3 am.  
 DISTILLERS' AND BREWERS' BUSINESS ASSESSMENT TAX ACT. 1920, c. 79.  
 DISTRICT COURT HOUSES ACT. R.S.O. 1914, c. 294.  
 DISTRICT HOUSES OF REFUGE ACT. R.S.O. 1914, c. 291; 1919, c. 83, s. 12 am.; 1922, c. 104 am.  
 DISTRICT OF COCHRANE ACT. 1922, c. 2.  
 DISTRICT REPRESENTATIVES ACT. 1914, c. 20; 1915, c. 20, s. 27 am.; 1916, c. 24, s. 37 aff.; 1918, c. 19 rep.  
 DITCHES AND WATERCOURSES ACT. R.S.O. 1914, c. 260; 1917, c. 56 am.; 1918, c. 47 am.; 1924, c. 79 am.  
 DIVISION COURTS ACT. R.S.O. 1914, c. 63; 1914, c. 2, s. 4 am., c. 21, s. 17 am.; 1916, c. 26 am.; 1917, c. 27, s. 20 am.; 1918, c. 20, s. 16 am.; 1920, c. 34 am.; 1921, c. 38 am.; 1922, c. 45 am.  
 DOG TAX AND SHEEP PROTECTION ACT. R.S.O. 1914, c. 246; 1916, c. 56 am.; 1918, c. 46 rep.; 1919, c. 69 am.; 1920, c. 92 am.; 1921, c. 82 am.; 1924, c. 72 am.  
 DOMINION COMMISSIONERS OF POLICE ACT. R.S.O. 1914, c. 93.  
 DOMINION COURTS ACT. R.S.O. 1914, c. 55.  
 DOMINION HOSPITALS FOR SOLDIERS ACT. 1920, c. 108.  
 DOMINION ORTHOPÆDIC HOSPITAL, LANDS VESTED IN CROWN. 1918, c. 20, s. 71.  
 DOMINION TITLE TO INDIAN LANDS ACT. 1915, c. 12.  
 DRAINAGE. *See* Ditches and Watercourses Act; Municipal Drainage Act; Municipal Drainage Aid Act; Provincial Aid to Drainage Act; Tile Drainage Act.  
 DOWER ACT. R.S.O. 1914, c. 70.  
 DWELLING HOUSES. *See* Housing Accommodation Act; Municipal Housing Act; Ontario Housing Act.

## E

- EAST SIMCOE AGRICULTURAL SOCIETY. 1919, c. 25, s. 6.  
 EDUCATION. *See* Adolescent School Attendance Act; Agricultural College Act; Auxiliary Classes Act; Boards of Education Act; College of Art Act; Consolidated Schools Act; Continuation Schools Act; Department of Education Act; Disqualification Act; French Scholarship Act; High Schools Act; Industrial Education Act; Industrial Schools Act; Mining Schools Act; Ottawa Separate Schools Act; Salaries to certain officers, 1916, c. 24, s. 40; 1918, c. 20, s. 62; School Attendance Act; Schools for the Deaf and Blind Act;

School Law Amendment Acts; School Sites Act; Separate Schools Act; Special Classes Act; Teachers' and Inspectors' Superannuation Act; Technical Education Act; Toronto Board of Education Act; Truancy Act; University Act; University Aid Act; Upper Canada College Act; Veterinary College Act; Vocational Education Act; Westminster Continuation School Act; Women's Rural School Board Qualification Act.

EGRESS FROM PUBLIC BUILDINGS ACT. R.S.O. 1914, c. 235.

ELECTIONS. *See* Election Law Amendment Act; Disqualification Act; Municipal Act; Municipal Franchise Act; Ontario Controverted Elections Act; Ontario Election Act; Ontario Franchise Act; Political Contributions Act; Punishment for Personation Act; Railway Employees' and Commercial Travellers' Voting Act; Voters' Lists Act; Women's Assembly Qualification Act; Women's Municipal Franchise Act; Women's Municipal Qualification Act.

ELECTION LAW AMENDMENT ACT. 1914, c. 5; 1916, c. 6; 1917, c. 5, s. 57, c. 6 am.; 1920, c. 2 am.; 1921, c. 2, s. 3 am.; 1922, c. 4, s. 4 am.; 1923, c. 3 am.; 1924, c. 4.

EMBALMERS AND UNDERTAKERS ACT. R.S.O. 1914, c. 174; 1914, c. 21, ss. 35-36 am.

EMPLOYMENT AGENCIES ACT. 1914, c. 38; 1917, c. 37 rep.; 1919, c. 37 am.

ENGINEERS. *See* Professional Engineers' Act.

ENGLEHART, TOWN OF. *See* Debentures Guarantee Act, 1924, c. 3.

ENROLMENT OF STALLIONS. *See* Ontario Stallion Act.

ENTRY OF HORSES AT EXHIBITION ACT. R.S.O. 1914, c. 226.

ESCHEATS ACT. R.S.O. 1914, c. 104; 1919, c. 32, s. 3 am.

ESTATES TAIL ACT. R.S.O. 1914, c. 113; 1914, c. 2, s. 4 am.

ESTREATS ACT. R.S.O. 1914, c. 98.

EVIDENCE. *See* Evidence Act; Soldiers' and Sailors' Proof of Death Act.

EVIDENCE ACT. R.S.O. 1914, c. 76; 1916, c. 24, ss. 11-13 am.; 1917, c. 27, s. 68 am.

EXECUTION ACT. R.S.O. 1914, c. 80; 1914, c. 21, s. 20 am.; 1915, c. 20, s. 10 am.

EXECUTION OF TRUSTS ACT. 1916, c. 29.

EXECUTIVE COUNCIL ACT. R.S.O. 1914, c. 13; 1918, c. 20, s. 6 am.; 1919, c. 22, s. 3 am.; 1920, c. 12, s. 3 am.; 1924, c. 69, s. 7 am.

EXEMPTION. *See* Firemen's Exemption Act.

EXPENSES. *See* Administration of Justice Expenses Act.

EXPORT OF PULPWOOD ACT. 1914, c. 12; 1915, c. 20, s. 4 am.; 1916, c. 24, s. 48 am.; 1919, c. 11; 1920, c. 14.

EXTRA-JUDICIAL SERVICES ACT. R.S.O. 1914, c. 57.

EXTRA-PROVINCIAL CORPORATIONS ACT. R.S.O. 1914, c. 179; 1914, c. 21, s. 38 am.; 1918, c. 20, s. 31 am.

EXTRA-MURAL EMPLOYMENT OF SENTENCED PERSONS ACT. 1921, c. 93; 1923, c. 57 am.

## F

FACTORS ACT. R.S.O. 1914, c. 137; 1920, c. 40, s. 59.

FACTORY SHOP AND OFFICE BUILDING ACT. R.S.O. 1914, c. 229; 1914, c. 2, s. 4, c. 40 am.; 1916, c. 13, s. 9 aff.; 1918, c. 44 am.; 1919, c. 64 am.; 1920, c. 86 am.; 1921, c. 76 am.

FARM LOANS ACT. 1917, c. 25.

FATAL ACCIDENTS ACT. R.S.O. 1914, c. 151.

FEDERAL GRANTS FOR AGRICULTURAL PURPOSES. 1915, c. 20, s. 7 am.

FEES. *See* Public Officers' Fees Act.

FEMALE PATIENTS' AND PRISONERS' PROTECTION ACT. R.S.O. 1914, c. 232.

FEMALE REFUGES ACT. R.S.O. 1914, c. 289; 1919, c. 84; rep. and sub.

FENCES. *See* Line Fences Act; Snow Fences Act.

FERRIES ACT. R.S.O. 1914, c. 127.

FINES AND FOREFEITURES ACT. R.S.O. 1914, c. 99.

FIRE. *See* Accidental Fires Act; Fire Accidents Act; Fire Guardians Act; Fire Marshals Act; Fires Extinguishment Act; Forest Fires Prevention Act; Northern Fire Relief Act; Northern Ontario Fire Relief Committee Act; Prevention of Accidents by Fire in Hotels Act.



- FIRE ACCIDENTS ACT. 1915, c. 41.  
 FIRE DEPARTMENTS HOURS OF LABOUR ACT. 1920, c. 88.  
 FIRE DEPARTMENTS TWO PLATOON ACT. 1921, c. 80.  
 FIRE GUARDIANS ACT. R.S.O. 1914, c. 242.  
 FIRE MARSHALS ACT. 1914, c. 41; 1916, c. 55 am.; 1917, c. 55 am.; 1919, c. 67 am.; 1920, c. 90 am.; 1923, c. 53 am.  
 FIREMEN. *See* Fire Departments Hours of Labour Act; Fire Departments Two Platoon Act; Firemen's Exemption Act.  
 FIREMEN'S EXEMPTION ACT. R.S.O. 1914, c. 201.  
 FIRES EXTINGUISHMENT ACT. R.S.O. 1914, c. 243.  
 FISH SALES ACT. 1918, c. 49.  
 FOREST. *See* Forest Fires Prevention Act; Forest Reserves Act; Private Forest Reserves Act.  
 FOREST FIRES PREVENTION ACT. R.S.O. 1914, c. 241; 1914, c. 42 am.; 1917, c. 54 rep.; 1918, c. 45 am.; 1924, c. 71 am.  
 FOREST RESERVES ACT. R.S.O. 1914, c. 30.  
 FORT WILLIAM AND PORT ARTHUR BOUNDARIES ACT. 1919, c. 33.  
 FORT WILLIAM LAND TITLES AND REGISTRY OFFICE ACT. 1917, c. 32.  
 FORT WILLIAM—RATIFICATION WITH PORT ARTHUR AS TO STREET RAILWAY. 1917, c. 27, s. 71.  
 FOUL BROOD ACT. R.S.O. 1914, c. 258; 1920, c. 95 am.; 1924, c. 77 am.  
 FOXES AND FUR-BEARING ANIMALS. 1919, c. 71.  
 FRAUD. *See* Fraudulent Conveyances Act; Fraudulent Debtors' Arrest Act; Fruit Sales Act; Statute of Frauds.  
 FRAUDULENT CONVEYANCES ACT. R.S.O. 1914, c. 105.  
 FRAUDULENT DEBTORS' ARREST ACT. R.S.O. 1914, c. 83.  
 FRENCH SCHOLARSHIPS ACT. 1920, c. 103.  
 FRUIT PACKING ACT. 1922, c. 90.  
 FRUIT PEST ACT. R.S.O. 1914, c. 254.  
 FRUIT SALES ACT. R.S.O. 1914, c. 225.  
 FUEL SUPPLY ACT. 1918, c. 13; 1920, c. 12, s. 11 aff.  
 FULFORD, GEORGE TAYLOR. 1915, c. 11.  
 FUR-BEARING ANIMALS. *See* Foxes and Fur-Bearing Animals Act.

## G

- GAME. *See* Gaming Act; Ontario Game and Fisheries Act.  
 GAMING ACT. R.S.O. 1914, c. 217.  
 GAOLS ACT. R.S.O. 1914, c. 293.  
 GAS WELLS. *See* Well Drillers' Act.  
 GENERAL PURCHASING AGENTS ACT. 1918, c. 7.  
 GENERAL SESSIONS ACT. R.S.O. 1914, c. 60; 1918, c. 20, s. 15 am.; 1922, c. 43 am.  
 GERMANY: PAYMENT OUT OF COURT OR BY EXECUTORS. 1914, c. 21, s. 67 am.  
 GINSENG ACT. R.S.O. 1914, c. 256.  
 GOODS. *See* Sale of Goods Act.  
 GOVERNMENT STOCK. *See* Provincial Loans Act.  
 GRAIN LOANS ACT. 1919, c. 3.  
 GRAIN TRADE INQUIRY ACT. 1923, c. 17.  
 GREATER WINNIPEG WATER DISTRICT ACT. 1916, c. 17.  
 GUARANTEE COMPANIES' SECURITIES ACT. R.S.O. 1914, c. 190.  
 GUARANTEE OF MUNICIPAL AND SCHOOL DEBENTURES. *See* Debentures Guarantee Act; Municipal Debentures Guarantee Act.  
 GUARDIANSHIP. *See* Infants' Act.  
 GUELPH RAILWAY ACT. 1921, c. 22; 1923, c. 40 am.

## H

- HABEAS CORPUS. *See* Ontario Habeas Corpus Act.  
 HAILEYBURY, TOWN OF. *See* Debentures Guarantee Acts, 1924, c. 3.  
 HALIBURTON ACT. R.S.O. 1914, c. 4.



- HALTON**—HIGHWAY SCHEME FOR EXEMPTION OF CERTAIN MUNICIPALITIES. 1918, c. 20, s. 68.
- HEALTH.** *See* An Act for the Establishment of the Department of Health; One Day's Rest in Seven Act; Public Health Act; Vaccination Act; Venereal Diseases' Prevention Act.
- HIGH SCHOOLS ACT.** R.S.O. 1914, c. 268; 1914, c. 21, ss. 59-60 am.; 1915, c. 43, ss. 5-8 am.; 1916, c. 24, ss. 39-40 am.; 1917, c. 27, ss. 48-49 am.; 1918, c. 51, ss. 4-5 am.; 1919, c. 6, s. 2 aff., c. 73, s. 17 am.; 1920, c. 99, ss. 5-6 am.; 1921, c. 89, ss. 13-16 am.; 1922, c. 98, ss. 19-21 am.; 1924, c. 82, s. 16, 17 am.
- HIGHWAY.** *See* Carriage of Liquor Act; Colonization Roads Act; Highway Improvement Act; Highway Traffic Act; Highway Travel Act; Load of Vehicles Act; Motor Vehicles Act; Obstructions on Highways Removal Act; Ontario Highways Act; Provincial Highway Act; Public Vehicles Act; Road Construction; Snow Fences Act; Snow Roads Act; Statute Labour Act; Toll Roads Act; Toronto and Hamilton Highway Commission Act; Traction Engines Act; Tree Planting Act.
- HIGHWAY**—*Re* INDEMNIFICATION OF MEMBER OF ASSEMBLY SERVING ON HIGHWAY COMMISSION. 1916 c. 24, s. 49.
- HIGHWAY**—*Re* PAYMENT OF MEMBERS OF HIGHWAY COMMISSION. 1914, c. 21, s. 69; 1916, c. 24, s. 49.
- HIGHWAY**—*Re* SPECIAL GRANTS IN AID OF PERMANENT ROADWAYS. 1917, c. 27, s. 70.
- HIGHWAY IMPROVEMENT ACT.** R.S.O. 1914, c. 40; 1915, c. 16 am.; 1916, c. 14 am.; 1917, c. 16, s. 36, c. 17, c. 27, s. 58 am.; 1918, c. 15, c. 16 am.; 1919, c. 18 am.; 1920, c. 20, c. 25, s. 8 aff.; 1921, c. 25 am.; 1922, c. 26 am., c. 27 am.; 1924, c. 27, ss. 9, 10 am.
- HIGHWAY LAWS AMENDMENT ACT.** 1924, c. 27.
- HIGHWAY TRAFFIC ACT.** 1923, c. 48.; 1924, c. 62 a.m.
- HIGHWAY TRAVEL ACT.** R.S.O. 1914, c. 206; 1916, c. 46 am.; 1917, c. 48 am.; 1918, c. 36 am.; 1923, c. 48, s. 67 rep. and sub.
- HORSES.** *See* Entry of Horses at Exhibition Act. Ontario Stallion Act.
- HORTICULTURAL SOCIETIES ACT.** R.S.O. 1914, c. 48; 1916, c. 24, s. 4 am.; 1917, c. 26 am.; 1919, c. 21 am.
- HOSPITALS.** *See* An Act to Confer Certain Powers Respecting Hospitals on the Lieutenant-Governor in Council; Hospitals and Charitable Institutions Act; Hospitals for Epileptics Act; Hospitals for the Insane Act; Public Institutions Amendment Act; Reception Hospitals for the Insane Act; Sanatoria for Consumptives Act.
- HOSPITALS AND CHARITABLE INSTITUTIONS ACT.** R.S.O. 1914, c. 300; 1914, c. 21, s. 66 am.; 1916, c. 24, s. 46 am.; 1917, c. 27, s. 57 am.; 1919, c. 83, ss. 6-8 am.; 1920, c. 107 am.; 1922, c. 60, s. 5 am.
- HOSPITALS FOR EPILEPTICS ACT.** R.S.O. 1914, c. 297; 1914, c. 2, s. 4 am., c. 55 rep.; 1919, c. 83, s. 5 am.
- HOSPITALS FOR THE INSANE ACT.** R.S.O. 1914, c. 295; 1914, c. 53, c. 54 am.; 1916, c. 64 am.; 1919, c. 32, s. 4, c. 83, s. 2 am.; 1920, c. 10 aff.; 1924, c. 86 am.
- HOTELS.** *See* Hotels Act; Innkeepers' Act; Prevention of Fire in Hotels Act; Standard Hotel Registration Act.
- HOTELS ACT.** 1924, c. 66.
- HOURS OF LABOUR.** *See* Factory, Shop and Office Building Act; Fire Departments' Hours of Labour Act; Mining Act of Ontario; Municipal Act; One Day's Rest in Seven Act; Ontario Railway Act.
- HOUSES OF REFUGE ACT.** R.S.O. 1914, c. 290; 1914, c. 21, s. 65 am.; 1919, c. 83, s. 11 am.
- HOUSING.** *See* Housing Accommodation Act; Municipal Housing Act; Ontario Housing Act.
- HOUSING ACCOMMODATION ACT.** R.S.O. 1914, c. 220; 1914, c. 21, s. 48 am.
- HYDRO-ELECTRIC.** *See* Central Ontario Power Act; Hydro-Electric Negligence Act; Hydro-Electric Railway Act; Municipal Electric Railway Act; Ontario Niagara Development Act; Power Commission Act; Rural Hydro-Electric Distribution Act; Water Powers' Regulation Act.
- HYDRO-ELECTRIC NEGLIGENCE ACT.** 1923, c. 39.
- HYDRO-ELECTRIC RAILWAY ACT.** R.S.O. 1914, c. 187; 1914, c. 2, s. 4 am.; c. 31 rep.; 1915, c. 32 am.; 1916, c. 19, s. 5 aff., c. 37 am.; 1917, c. 27, s. 32 am.; 1919, c. 45 am.; 1920, c. 57 am.; 1922, c. 69, s. 29 rep.; 1924, c. 26.

## I

- ILLEGITIMATE CHILDREN'S ACT. R.S.O. 1914, c. 154; 1921, c. 54 rep. and sub.  
 IMMIGRANT CHILDREN'S PROTECTION ACT. 1924, c. 70.  
 INDIAN LANDS ACT. 1924, c. 15.  
 INDUSTRIAL AND MINING LANDS COMPENSATION ACT. 1918, c. 11.  
 INDUSTRIAL EDUCATION ACT. R.S.O. 1914, c. 276; 1915, c. 43, ss. 9-10 am.; 1917, c. 27, s. 55 am.; 1918, c. 51, s. 12 am.; 1920, c. 102 am.; 1921, c. 90, s. 18 rep. and sub.; 1922, c. 98, s. 22 aff.  
 INDUSTRIAL FARMS ACT. R.S.O. 1914, c. 292; 1914, c. 52 am.  
 INDUSTRIAL SCHOOLS ACT. R.S.O. 1914, c. 271; 1914, c. 48 am.; 1916, c. 24, s. 42 am.; 1918, c. 20, s. 49 am.; 1920, c. 104 am.  
 INFANTS. *See* Children.  
 INFANTS ACT. R.S.O. 1914, c. 153; 1915, c. 20, s. 16 am.; 1923, c. 33 am.  
 INJURED ANIMALS ACT. R.S.O. 1914, c. 248.  
 INNKEEPERS ACT. R.S.O. 1914, c. 173.  
 INSANE. *See* Dominion Hospitals for Soldiers Act; Hospitals for the Insane Act; Reception Hospitals for the Insane Act.  
 INSPECTION. *See* Ontario Public Trustee Act; Prisons' and Public Charities' Inspection Act; Public Institutions' Amendment Act.  
 INSURANCE. *See* Ontario Insurance Act; Payment of Insurance on Lives of Soldiers Act; Reciprocal Insurance Act; Workmen's Compensation Insurance Act.  
 INTEREST. *See* Current Rate of Interest Act.  
 INTERPRETATION ACT. R.S.O. 1914, c. 1.  
 INTESTATE SUCCESSION. *See* Devolution of Estates Act; Land Titles Act; Succession Duty Act  
 INTOXICATING LIQUOR. *See* Liquor Traffic.  
 IRON ORE BOUNTY ACT. 1924, c. 19.  
 ITALY—PAYMENT OUT OF COURT OR BY EXECUTOR. 1914, c. 21, s. 67.

## J

- JUDGES' ORDERS' ENFORCEMENT ACT. R.S.O. 1914, c. 79.  
 JUDICATURE ACT. R.S.O. 1914, c. 56; 1914, c. 21, ss. 15, 67 am.; 1915, c. 20, s. 9 am.; 1916, c. 24, s. 5 am.; 1917, c. 27, ss. 17-19 am.; 1919, c. 25, ss. 8-9, 44 am.; 1922, c. 42 am.; 1923, c. 21 am.; 1924, c. 30 am.  
 JURORS ACT. R.S.O. 1914, c. 64; 1914, c. 21, ss. 18-19 am.; 1916, c. 24, ss. 8-9 am.; 1918, c. 23 am.; 1920, c. 35 am.; 1922, c. 46 am.  
 JURY TRIALS ACT. 1922, c. 42.  
 JUSTICES OF THE PEACE ACT. R.S.O. 1914, c. 87; 1916, c. 24, s. 14 am.; 1917, c. 27, s. 21 am.; 1922, c. 48, s. 16 (2) aff., sched. am.  
 JUVENILE COURTS ACT. R.S.O. 1914, c. 233; 1916, c. 54 rep.; 1919, c. 25, ss. 35, 44 am.

## K

- KAPUSKASING, TOWN OF. *See* An Act to incorporate the Town of Kapuskasing; Debentures Guarantee Act, 1924.  
 KING'S PRINTER ACT. 1921, c. 5.

## L

- LABOUR. *See* Bureau of Labour Act; Department of Labour Act; Employment Agencies Act; Factory, Shop and Office Building Act; Minimum Wage Act; One Day's Rest in Seven Act; Stationary and Hoisting Engineers Act; Steam Boiler Act; Trades and Labour Branch Act; Workmen's Compensation for Injuries Act.  
 LAKE HURON AND NORTHERN ONTARIO RAILWAY COMPANY ACT. 1913, c. 134; 1915, c. 20, s. 26 am.; 1919, c. 25, s. 41; 1921, c. 131.  
 LAKE OF THE WOODS CONTROL BOARD ACT. 1922, c. 21.  
 LAND. *See* Indian Lands Act; Land Titles Act; Land Transfers Tax Act; Northern and North-western Ontario Development Act; Provincial Land Tax Act; Public Lands Act; Registry Act; Returned Soldiers' and Sailors' Land Settlement Act; Veteran's Land Grant Act; Veterans' Land Grant Amendment Act.

- LAND TITLES ACT. R.S.O. 1914, c. 126; 1914, c. 24 am; 1915, c. 20, s. 14 am.; 1916, c. 11, s. 5 am.; 1917, c. 31, c. 32 am.; 1918, c. 28 am.; 1922, c. 54 am.; 1923, c. 28 am.
- LAND TRANSFERS TAX ACT. 1921, c. 13; 1922, c. 15 am.; 1923, c. 4 am.; 1924, c. 12 am.
- LANDLORD AND TENANT ACT. R.S.O. 1914, c. 155; 1914, c. 2, s. 4 am.; 1923, c. 34 am.; 1924, c. 42 am.
- LANDS. *Re* CERTAIN LANDS VESTED IN HIS MAJESTY IN THE RIGHT OF THE DOMINION OF CANADA. 1918, c. 20, s. 71.
- LAW SOCIETY ACT. R.S.O. 1914, c. 157; 1914, c. 2, s. 4 am; 1915, c. 26 am.; 1916, c. 33 am.; 1919, c. 36 am.
- LAW STAMPS ACT. R.S.O. 1914, c. 25.
- LEASES. *See* Short Forms of Leases Act.
- LEGISLATION, UNIFORMITY OF—EXPENSES OF COMMISSIONERS. 1918, c. 20, s. 65.
- LEGISLATIVE ASSEMBLY, SPECIAL GRANTS. Arthur H. Sydere, 1918, c. 20, s. 63; Frederick J. Glackmeyer, 1918, c. 20, s. 63; Joseph M. Delamere, 1919, c. 25, ss. 43-44.
- LEGISLATIVE ASSEMBLY ACT. R.S.O. 1914, c. 11; 1914, c. 7 am.; c. 21, s. 69 am.; 1916, c. 3, s. 8, c. 4, s. 6 aff.; 1917, c. 27, s. 9 am.; 1918, c. 4 aff.; c. 20 ss. 4-5 am.; 1919, c. 8, s. 3 am., c. 25, ss. 4, 44 am.; 1920, c. 3 am.; 1924, c. 5 am., c. 6, s. 4 am.
- LEGISLATIVE ASSEMBLY EXTENSION ACT. 1918, c. 4.
- LEGISLATIVE LIBRARY. Appointment of librarian, 1917, c. 27, s. 10; payment for books ordered by committee, 1917, c. 27, s. 11.
- LEGISLATIVE SECRETARY FOR NORTHERN ONTARIO ACT. 1924, c. 6.
- LEGITIMATION ACT. 1921, c. 53.
- LENNOX AGRICULTURAL SOCIETY. 1919, c. 25, s. 7.
- LIBEL AND SLANDER ACT. R.S.O. 1914, c. 71; 1924, c. 31 am.
- LIBRARIES. *See* Public Libraries Act.
- LIEUTENANT-GOVERNORS ACT. R.S.O. 1914, c. 12.
- LIGHTNING ROD ACT. 1921, c. 84.
- LIMITATIONS ACT. R.S.O. 1914, c. 75; 1916, c. 24, s. 10 am.; 1922, c. 47 am.
- LIMITED PARTNERSHIP ACT. R.S.O. 1914, c. 138.
- LINE FENCES ACT. R.S.O. 1914, c. 259; 1921, c. 83; 1922, c. 96 am.
- LIQUOR LICENSE ACT. R.S.O. 1914, c. 215; 1914, c. 2, s. 4, c. 37 am.; 1915, c. 39; 1916, c. 50, s. 150 rep.
- LIQUOR TRAFFIC. *See* Carriage of Liquor Act; Liquor License Act; Liquor Transportation Act; Ontario Temperance Act; Temperance Referendum Act.
- LIQUOR TRANSPORTATION ACT. 1920, c. 80.
- LOAD OF VEHICLES ACT. 1916, c. 49; 1919, c. 59 am.; 1920, c. 75 am.; 1922, c. 81 am.; 1923, c. 48, s. 67 rep. and sub.
- LOAN AND TRUST CORPORATIONS ACT. R.S.O. 1914, c. 184; 1914, c. 2, s. 4, c. 21, s. 39 am.; 1917, c. 27, s. 30 am.; 1918, c. 20, ss. 35-36 am.; 1919, c. 42 am.; 1921, c. 61 am.; 1922, c. 63 am.
- LOANS. *See* Agricultural Development Act; Agricultural Development Finance Act; Co-operative Marketing Loan Act; Farm Loans Act; Loan and Trust Corporations Act; Ontario Farm Loans Act; Ontario Loan Acts; Provincial Loans Act.
- LOCAL IMPROVEMENT ACT. R.S.O. 1914, c. 193; 1914, c. 21, ss. 41-43 am.; 1915, c. 35 am.; 1919, c. 49 am.; 1921, c. 64 am.; 1922, c. 72, s. 296(4) aff., c. 75, c. 76 am.; 1923, c. 42 am.; 1924, c. 57 am.
- LONG POINT PARK ACT. 1921, c. 35.
- LUNACY ACT. R.S.O. 1914, c. 68.

## M

- MAGISTRATES' ACT. 1922, c. 48; 1924, c. 33 am.
- MANHOOD SUFFRAGE REGISTRATION ACT. R.S.O. 1914, c. 7; 1914, c. 5, ss. 6-9 am.; 1916, c. 6, s. 2 am.; 1917, c. 5, s. 57 rep.
- MANUFACTURERS. *See* Bread Sales Act.
- MARKETING. *See* Co-operative Marketing Loan Act.
- MARRIAGE ACT. R.S.O. 1914, c. 148; 1914, c. 21, s. 33 am.; 1916, c. 32 am.; 1919, c. 35 am.; 1921, c. 51 am.

- MARRIED WOMEN'S CONVEYANCES ACT. R.S.O. 1914, c. 150.
- MARRIED WOMEN'S PROPERTY ACT. R.S.O. 1914, c. 149.
- MASTER AND SERVANT ACT. R.S.O. 1914, c. 144; 1914, c. 21, s. 32 am.; 1924, c. 40 am.
- MATERNITY BOARDING HOUSES ACT. R.S.O. 1914, c. 230.
- MATHESON. *See* Debentures Guarantee Act; Municipal Debentures Guarantee Act.
- MECHANICS' AND WAGE-EARNERS' LIEN ACT. R.S.O. 1914, c. 140; 1914, c. 21, ss. 30-31 am.; 1916, c. 30 am.; 1918, c. 29 am.; 1923, c. 30, rep. and sub.
- MEDICAL PROFESSION. *See* Ontario Medical Act; Banting and Best Medical Research Act.
- MERCANTILE LAW AMENDMENT ACT. R.S.O. 1914, c. 133.
- METAL. *See* Unwrought Metal Sales Act.
- METAL REFINING BOUNTY ACT. R.S.O. 1914, c. 33; 1918, c. 10 am.; 1920, c. 12, s. 11 aff.
- MILK. *See* Cream and Milk Purchase Act; Cream Purchase Act; Dairy Products Act; Dairy Standards Act; Milk Act; Milk, Cheese and Butter Act.
- MILK ACT. R.S.O. 1914, c. 221; 1919, c. 25, s. 31 am.
- MILK, CHEESE AND BUTTER ACT. R.S.O. 1914, c. 222.
- MILLERS ACT. R.S.O. 1914, c. 128.
- MILLS LICENSING ACT. 1924, c. 17.
- MINIMUM WAGE ACT. 1920, c. 87; 1921, c. 78 am.; 1922, c. 91 am.
- MINING. *See* Canada Company's Lands Act; Department of Mines Act; Industrial and Mining Lands Compensation Act; Mining Act of Ontario; Mining Court Act; Mining Schools Act; Mining Tax Act; Mining Tax Titles Validity Act; Radium Act.
- MINING ACT OF ONTARIO. R.S.O. 1914, c. 32; 1914, c. 2, s. 4 am., c. 14 am.; 1915, c. 13 am.; 1916, c. 12 am.; 1917, c. 11 am.; 1918, c. 9 am.; 1919, c. 12, c. 13, s. 10 am.; 1920, c. 12, c. 13 am.; 1921, c. 16 am.; 1922, c. 22 am.; 1924, c. 18 am., c. 19, s. 6 aff., c. 21, s. 10 rep.
- MINING COURT ACT. 1924, c. 21.
- MINING SCHOOLS ACT. R.S.O. 1914, c. 283.
- MINING TAX ACT. R.S.O. 1914, c. 26; 1914, c. 2, s. 4 am., c. 14, c. 21, s. 8 am.; 1917, c. 7 am.; 1919, c. 12, c. 13, s. 10 am.; 1920, c. 10 am., c. 12, s. 11 aff.; 1921, c. 11 am.; 1922, c. 11 am.; 1924, c. 10 am.
- MINING TAX TITLES VALIDITY ACT. 1924, c. 22.
- MINORS' PROTECTION ACT. R.S.O. 1914, c. 216.
- MINORS' TOBACCO SALES ACT. R.S.O. 1914, c. 234.
- MONEY LENDERS. *See* Ontario Money Lenders Act.
- MORTGAGE TAX. 1918, c. 20, s. 70; 1919, c. 25, ss. 37, 44 aff.
- MORTGAGES. *See* Mortgages Act; Mortgageors' and Purchasers' Relief Act; Short Forms of Mortgages Act.
- MORTGAGES ACT. R.S.O. 1914, c. 112; 1915, c. 21 am.; 1924, c. 37 am.
- MORTGAGORS' AND PURCHASERS' RELIEF ACT. 1915, c. 22; 1916, c. 27 am.; 1917, c. 27, s. 59 am.; 1918, c. 26 am.; 1919, c. 25, s. 32 aff.; 1920, c. 38 am.
- MORTMAIN AND CHARITABLE USES ACT. R.S.O. 1914, c. 103; 1914, c. 2, s. 4 am.; 1921, c. 46 am.
- MOTHERS' ALLOWANCES ACT. 1920, c. 89; 1921, c. 79 am.
- MOTOR VEHICLES ACT. R.S.O. 1914, c. 207; 1914, c. 36 am.; 1916, c. 47 am.; 1917, c. 49 am.; 1918, c. 18, s. 9 aff., c. 37 am.; 1919, c. 57 am.; 1920, c. 74 am.; 1921, c. 72 am.; 1922, c. 80 am.; 1923, c. 48, s. 67, rep. and sub.
- MOVING PICTURES. *See* Theatres and Cinematographs Act.
- MUNICIPAL ACT. R.S.O. 1914, c. 192; 1914, c. 33 am.; 1915, c. 34 am.; 1916, c. 24, s. 27, c. 39 am.; 1917, c. 20, s. 7 (2), c. 42, c. 43, s. 2 am., c. 48, s. 5 am.; 1918, c. 32 am.; 1919, c. 46 am.; 1920, c. 58, c. 59 am.; 1921, c. 63 am.; 1922, c. 71 am., c. 72, s. 538, rep. and sub., c. 74, ss. 2, 3, 4 am.; 1923, c. 41, am.; 1924, c. 53 am.; c. 56, ss. 3, 4 am.
- MUNICIPAL AFFAIRS. *See* Bureau of Municipal Affairs Act.
- MUNICIPAL AND SCHOOL ACCOUNTS AUDIT ACT. R.S.O. 1914, c. 200; 1920, c. 68 am.
- MUNICIPAL ARBITRATIONS ACT. R.S.O. 1914, c. 199; 1916, c. 44 am.; 1917, c. 27, s. 33 am.; 1923, c. 46 am.
- MUNICIPAL BOARD. *See* Ontario Railway and Municipal Board Act.
- MUNICIPAL DEBENTURES GUARANTEE ACT. 1917, c. 9; 1918, c. 20, ss. 66-67 am.; 1919, c. 4 am.; 1920, c. 7 am.

- MUNICIPAL DRAINAGE ACT. R.S.O. 1914, c. 198; 1914, c. 21, s. 44 am.; 1916, c. 43 am.; 1918, c. 20, s. 41 am.; 1919, c. 52 am.; 1920, c. 67 am.; 1922, c. 72, s. 296(4) aff., c. 79 am.
- MUNICIPAL DRAINAGE AID ACT. R.S.O. 1914, c. 43; 1915, c. 20, s. 8 am.; 1916, c. 22 am.
- MUNICIPAL ELECTIONS. *See* Disqualification Act; Municipal Act; Municipal Franchise Act; Railway Employees' Voting Act; Ontario Voters' Lists Act; Women's Municipal Franchise Act; Women's Municipal Qualification Act.
- MUNICIPAL ELECTRIC CONTRACTS ACT. R.S.O. 1914, c. 205.
- MUNICIPAL ELECTRIC RAILWAY ACT. 1922, c. 69.
- MUNICIPAL FRANCHISE ACT. 1922, c. 74; 1923, c. 43 am.; 1924, c. 54 am.
- MUNICIPAL FRANCHISES ACT. R.S.O. 1914, c. 197; 1915, c. 38 am.; 1919, c. 51 am.
- MUNICIPAL GRANTS. *See* Act to authorize and confirm Grants by Municipal Corporations for Patriotic Purposes.
- MUNICIPAL HOUSING ACT. 1920, c. 84.
- MUNICIPAL TAX EXEMPTION ACT. 1920, c. 64; 1921, c. 68 am.; 1924, c. 60 rep.
- MUSEUM. *See* Royal Ontario Museum Act.

## N

- NATURAL GAS ACT. 1918, c. 12; 1919, c. 13 rep.; 1920, c. 12, s. 11 aff., c. 93 am.; 1921, c. 17, s. 20 rep.
- NATURAL GAS AND OIL WELLS ACT. R.S.O. 1914, c. 250; 1916, c. 57 am.; 1920, c. 12, s. 11 aff.; 1924, c. 75 am.
- NATURAL GAS CONSERVATION ACT. 1921, c. 17; 1922, c. 23 am.; 1924, c. 74 am.
- NEGLECTED AND DEPENDENT CHILDREN. *See* Children's Protection Act.
- NEWFOUNDLAND, GRANT TO. 1914, c. 21, s. 68.
- NIAGARA. *See* Ontario Niagara Development Act.
- NIAGARA FALLS MAGISTRATES ACT. R.S.O. 1914, c. 100; 1922, c. 48, s. 2, rep.
- MISSOURI (WEST) CONTINUATION SCHOOLS. 1914, c. 21, s. 58; 1916, c. 24, s. 38; 1917, c. 27, s. 47.
- NOTARIES ACT. R.S.O. 1914, c. 160.
- NORTHERN AND NORTHWESTERN ONTARIO DEVELOPMENT ACT. 1915, c. 6; 1916, c. 11 am.; 1917, c. 12, c. 13, c. 27, s. 66 am.; 1918, c. 8 am.; 1919, c. 14, c. 15 am.; 1921, c. 18; 1922, c. 18 am.; 1923, c. 8 am.; 1924, c. 14 am.
- NORTHERN FIRE RELIEF ACT. 1923, c. 7.
- NORTHERN LIGHT RAILWAYS ACT. 1920, c. 152; 1921, c. 132 am.
- NORTHERN ONTARIO. *See* Legislative Secretary for Northern Ontario Act.
- NORTHERN ONTARIO FIRE RELIEF COMMITTEE ACT. 1923, c. 9.
- NOXIOUS WEEDS ACT. R.S.O. 1914, c. 253; 1916, c. 59 am.; 1920, c. 94 am.
- NURSES. *See* Registration of Nurses Act.

## O

- OBSTRUCTIONS ON HIGHWAYS REMOVAL ACT. 1920, c. 21; 1922, c. 82 am.
- OFFENSIVE WEAPONS ACT. R.S.O. 1914, c. 239.
- OFFICIAL NOTICES' PUBLICATION ACT. R.S.O. 1914, c. 19.
- OIL WELLS. *See* Well Drillers' Act.
- ONE DAY'S REST IN SEVEN ACT. 1922, c. 93.
- ONTARIO ARCHITECTS ACT. R.S.O. 1914, c. 167.
- ONTARIO COMPANIES ACT. R.S.O. 1914, c. 178; 1914, c. 29 am.; 1915, c. 20, s. 18 am.; 1916, c. 35 am.; 1917, c. 38 am.; 1918, c. 20, ss. 28-30 am.; 1919, c. 41 am.; 1920, c. 53 am.; 1921, c. 58 am., c. 62, s. 7 aff.; 1923, c. 37 am.; 1924, c. 47 am.
- ONTARIO CONTROVERTED ELECTIONS ACT. R.S.O. 1914, c. 10.
- ONTARIO CULLERS ACT. R.S.O. 1914, c. 172; 1924, c. 46 rep. and sub.
- ONTARIO ELECTION ACT. R.S.O. 1914, c. 8; 1914, c. 5, ss. 10-18, c. 6 aff.; 1916, c. 6 am.; 1917, c. 5, c. 6, c. 27, s. 3 am.; 1918, c. 3, c. 20, s. 3 am.; 1919, c. 6, c. 7, c. 8, s. 2 am.; 1920, c. 2 aff.; 1922, c. 4, s. 4 am.; 1923, c. 3, ss. 18-24 am.; 1924, c. 4 am.
- ONTARIO FARM LOANS ACT. 1921, c. 33; 1922, c. 37 am.
- ONTARIO FRANCHISE ACT. 1917, c. 5; 1922, c. 4, s. 4, rep.

- ONTARIO GAME AND FISHERIES ACT. R.S.O. 1914, c. 262; 1914, c. 46 am.; 1915, c. 20, s. 23 am.; 1916, c. 60 am.; 1917, c. 27, s. 37 am.; 1918, c. 48, c. 49, c. 50, s. 7 aff.; 1919, c. 72 am.; 1920, c. 97 am.; 1921, c. 87 am.; 1922, c. 97 am.; 1924, c. 80 am.
- ONTARIO HABEAS CORPUS ACT. R.S.O. 1914, c. 84.
- ONTARIO HIGHWAYS ACT. 1915, c. 17, c. 20, s. 29 am.; 1916, c. 15 am.; 1917, c. 16, s. 36, c. 17, ss. 4-5, c. 18 am.; 1918, c. 16, s. 2, c. 17 am.; 1919, c. 19 am.; 1920, c. 20, c. 21, c. 22, c. 25, s. 8 aff.; 1922, c. 28 am.; 1924, c. 27, ss. 2-8 am.; c. 28 am.
- ONTARIO HOUSING ACT. 1919, c. 54, c. 25, ss. 42, 44 am.; 1920, c. 83 am.
- ONTARIO INSURANCE ACT. R.S.O. 1914, c. 183; 1914, c. 30 am.; 1915, c. 20, s. 19, c. 30 am.; 1916, c. 36 am.; 1917, c. 27, ss. 28-29 am.; 1918, c. 20, ss. 32-34 am.; 1919, c. 25, ss. 23-24, 44 am.; 1920, c. 55 am.; 1921, c. 60 am.; 1922, c. 61 am., c. 62 aff.; 1924, c. 50 rep. and sub.
- ONTARIO LAND SURVEYORS ACT. R.S.O. 1914, c. 165; 1914, c. 26 am.; 1917, c. 36 am.; 1919, c. 25, s. 22 am.; 1920, c. 49 am.; 1924, c. 44 am.
- ONTARIO LOAN ACTS. 1917, c. 3; 1923, c. 2; 1924, c. 9.
- ONTARIO MEDICAL ACT. R.S.O. 1914, c. 161; 1914, c. 2, s. 4 am.; 1915, c. 27 am.; 1916, c. 24, s. 24 am.; 1918, c. 20, s. 26 am.; 1919, c. 25, ss. 20-21, 44 am.; 1923, c. 35 am.
- ONTARIO MONEY LENDERS ACT. R.S.O. 1914, c. 175.
- ONTARIO NIAGARA DEVELOPMENT ACT. 1916, c. 20; 1917, c. 21 am.
- ONTARIO PAROLE ACT. 1917, c. 63; 1921, c. 92. \*
- ONTARIO PAWNBROKERS' ACT. R.S.O. 1914, c. 176.
- ONTARIO PUBLIC SERVICE ACT. R.S.O. 1914, c. 14; 1914, c. 21, ss. 2, 71 am.; 1915, c. 20, s. 1 am.; 1917, c. 27, s. 12 am.; 1918, c. 5 am.
- ONTARIO PUBLIC SERVICE SUPERANNUATION ACT. 1920, c. 4; 1921, c. 3 am.; 1922, c. 5 am.; 1924, c. 7 am.
- ONTARIO PUBLIC TRUSTEES ACT. 1919, c. 32; 1921, c. 47 am.
- ONTARIO PUBLIC WORKS ACT. R.S.O. 1914, c. 35; 1916, c. 19, s. 5 aff.
- ONTARIO RAILWAY ACT. R.S.O. 1914, c. 185; 1914, c. 21, s. 40 am.; 1916, c. 31, s. 10 am.; 1917, c. 27, s. 31, c. 39 am.; 1918, c. 30 am.; 1919, c. 44 am.; 1920, c. 56 am.; 1922, c. 66 am., c. 67 am.; 1924, c. 51 am.
- ONTARIO RAILWAY AND MUNICIPAL BOARD ACT. R.S.O. 1914, c. 186; 1915, c. 31 am.; 1916, c. 24, ss. 25-26 am.; 1919, c. 25, ss. 25, 44 am.; 1922, c. 68 am.
- ONTARIO REFORMATORY ACT. R.S.O. 1914, c. 287; 1914, c. 51 am.; 1915, c. 20, s. 24 am.
- ONTARIO STALLION ACT. R.S.O. 1914, c. 249; 1914, c. 44 am.; 1915, c. 20, s. 22 am.; 1924, c. 73.
- ONTARIO SUMMARY CONVICTIONS ACT. R.S.O. 1914, c. 90; 1914, c. 2, s. 4 am., c. 21, s. 23 am.; 1917, c. 27, s. 23 am.
- ONTARIO TELEGRAPH ACT. R.S.O. 1914, c. 180.
- ONTARIO TELEPHONE ACT. R.S.O. 1914, c. 188; 1914, c. 32 am.; 1915, c. 33 am.; 1916, c. 38 am.; 1917, c. 40 am.; 1918, c. 31 rep.; 1919, c. 43 am.; 1921, c. 62 am.; 1922, c. 70 am.; 1924, c. 52 am.
- ONTARIO TEMPERANCE ACT. 1916, c. 50; 1917, c. 50 am.; 1918, c. 40 am.; 1919, c. 60, c. 61, s. 2 am.; 1920, c. 78, c. 80 am.; 1921, c. 73 am.; 1922, c. 50, s. 9 am., c. 86 am., c. 87 aff.; 1924, c. 65 am.; c. 66, s. 10 rep.
- ONTARIO VOTERS' LISTS ACT. R.S.O. 1914, c. 6; 1914, c. 2, s. 4, c. 5, ss. 4-5 am.; 1916, c. 5, c. 6, s. 2 am.; 1917, c. 4, c. 27, s. 2 am.; 1918, c. 3 am.; 1919, c. 25, s. 3 am.; 1920, c. 2, ss. 3, 65 aff.; 1921, c. 2; 1922, c. 4, s. 4 rep., c. 74, s. 5 am.; 1923, c. 3, ss. 2-13, 24 am.; 1924, c. 4 am.
- OPTOMETRY ACT. 1919, c. 39; 1920, c. 52 am.
- ORGANIZATION OF RESOURCES ACT. 1916, c. 4; 1917, c. 27, ss. 61-63 am.
- OSGOODE HALL. *See* Transfer of Documents to Provincial Archivist Act.
- OTTAWA SEPARATE SCHOOLS ACT. 1915, c. 45; 1916, c. 24, s. 41 am.; 1917, c. 60.
- OTTAWA SEPARATE SCHOOLS COMMISSION ACT. 1917, c. 59.

PAPER MILLS. *See* Mills Licensing Act.

PARENTS' MAINTENANCE ACT. 1921, c. 52.

PARKS. *See* Burlington Beach Act; Provincial Parks Act; Public Parks Act; Queen Victoria Niagara Falls Park Act; Queenston Heights Park Act.



- PAROLE. *See* Ontario Parole Act.
- PARTITION ACT. R.S.O. 1914, c. 114.
- PARTNERSHIP. *See* Limited Partnership Act; Partnership Act; Partnership Registration Act.
- PARTNERSHIP ACT. 1920, c. 41.
- PARTNERSHIP REGISTRATION ACT. R.S.O. 1914, c. 139.
- PATRIOTIC PURPOSES. *See* Act to authorize and confirm Grants by Municipal Corporations for Patriotic Purposes.
- PAWNBROKERS. *See* Ontario Pawnbrokers Act.
- PAYMENT OF INSURANCE ON LIVES OF SOLDIERS ACT. 1920, c. 61.
- PEACE PRESERVATION. *See* Public Works Peace Preservation Act.
- PETTY TRESPASS ACT. R.S.O. 1914, c. 111.
- PHARMACY ACT. R.S.O. 1914, c. 164; 1914, c. 21, s. 34 am.; 1915, c. 28 am.; 1917, c. 35 am.; 1920, c. 47 am.; 1923, c. 36 am.; 1924, c. 43 am.
- PLANNING AND DEVELOPMENT ACT. 1917, c. 44, c. 30 aff.; 1918, c. 38 rep.; 1919, c. 53 am.; 1920, c. 60 am.; 1921, c. 65 am.; 1924, c. 58 am.
- POLICE. *See* Constables Act; County Board of Police Commissioners; Magistrates Act; Police Constables Bail Act; Police Magistrates Act; Police Magistrates Extended Jurisdiction Act; Provincial Police Force Act.
- POLICE CONSTABLES' BAIL ACT. R.S.O. 1914, c. 95.
- POLICE MAGISTRATES ACT. R.S.O. 1914, c. 88, 1914, c. 21, s. 21 am.; 1915, c. 20, s. 11 am.; 1916, c. 24, s. 15 am.; 1918, c. 20, ss. 18-20 am.; 1919, c. 25, s. 12 am.; 1921, c. 41 am., c. 42, s. 2 am.; 1922, c. 48, s. 2 rep.
- POLICE MAGISTRATES' EXTENDED JURISDICTION ACT. 1921, c. 42; 1922, c. 48, s. 2, rep.
- POLITICAL CONTRIBUTIONS ACT. 1914, c. 6.
- POOL ROOMS. *See* Minors' Protection Act; An Act to License Billiard and Pool Rooms and Bowling Alleys.
- POPLAR PULP WOOD EXPORT ACT. 1919, c. 11.
- PORCUPINE RAND BELT ELECTRIC RAILWAY. 1914, c. 21, s. 70.
- PORT ARTHUR. *See* Fort William and Port Arthur Boundaries Act; Fort William Land Titles and Registry Office Act; Statute Law Amendment Act, 1917, c. 27, s. 71 am.
- POST-GRADUATE STUDY. *See* French Scholarship Act.
- POUNDS ACT. R.S.O. 1914, c. 247.
- POWER. *See* An Act respecting the Filing of Claims against Certain Companies or their Properties; Central Ontario Power Act; Ontario Niagara Development Act; Power Commission Act; Power Commission and Companies Transfer Act; Toronto Power and Railway Purchase Act; Water Powers' Regulation Act.
- POWER COMMISSION ACT. R.S.O. 1914, c. 39; 1914, c. 16 am.; 1915, c. 19 am.; 1916, c. 19 am.; 1917, c. 20 am.; 1918, c. 14 am.; 1919, c. 16 am.; 1920, c. 18 am.; 1921, c. 20 am.; 1922, c. 31 am.; 1923, c. 12; 1924, c. 23 am.
- POWER COMMISSION AND COMPANIES TRANSFER ACT. 1924, c. 24.
- POWERS OF ATTORNEY ACT. R.S.O. 1914, c. 106.
- PRESQU'ILE PARK ACT. 1922, c. 39; 1923, c. 6, s. 2 aff.
- PREVENTION OF ACCIDENTS BY FIRE IN HOTELS ACT. R.S.O. 1914, c. 237.
- PRISONS AND PUBLIC CHARITIES INSPECTION ACT. R.S.O. 1914, c. 301; 1916, c. 24, s. 47 am.; 1919, c. 32, s. 4, c. 83, s. 3 am.
- PRIVATE DETECTIVES ACT. R.S.O. 1914, c. 177; 1914, c. 21, s. 37 am.; 1916, c. 34 am.; 1919, c. 40 am.; 1922, c. 58 am.
- PRIVATE FOREST RESERVES ACT. 1919, c. 68.
- PRIVATE SANITARIUM ACT. R.S.O. 1914, c. 296.
- PRIVY COUNCIL APPEALS ACT. R.S.O. 1914, c. 54.
- PROBATION ACT. 1922, c. 103.
- PROFESSIONAL ENGINEERS ACT. 1922, c. 59.
- PROHIBITION. *See* Temperance.
- PROPERTY AND CIVIL RIGHTS ACT. R.S.O. 1914, c. 101.
- PROTECTION OF BIRDS ACT. R.S.O. 1914, c. 263; 1918, c. 50, s. 7 aff.
- PROTECTION OF PURE-BRED CATTLE ACT. 1914, c. 43.
- PROVINCIAL AID TO DRAINAGE ACT. R.S.O. 1914, c. 42; 1921, c. 28 rep.

- PROVINCIAL AUCTIONEERS' LICENSE ACT. 1921, c. 57.
- PROVINCIAL HIGHWAY ACT. 1917, c. 16; 1918, c. 16, s. 2 am.; 1919, c. 17 am.; 1920, c. 23 am.; 1921, c. 27 am.; 1922, c. 30 am.; 1924, c. 27, s. 13 am.
- PROVINCIAL LAND TAX ACT. 1924, c. 13.
- PROVINCIAL LOANS. *See* Loans.
- PROVINCIAL LOANS ACT. R.S.O. 1914, c. 21; 1914, c. 8 am.; 1915, c. 5 am.; 1919, c. 10 am.; 1920, c. 5 am.; 1921, c. 6 am.; 1922, c. 9 am, c. 10 am.
- PROVINCIAL PARKS ACT. R.S.O. 1914, c. 52; 1914, c. 21, s. 14 am.; 1919, c. 24 am.
- PROVINCIAL POLICE FORCE ACT. 1921, c. 45.
- PROVINCIAL STOCK. *See* Ontario Loan Act.
- PROVINCIAL WAR TAX ACT. 1915, c. 3; 1916, c. 10 am.; 1919, c. 5 am.
- PROVISIONAL COUNTY OF HALIBURTON. *See* Haliburton Act.
- PUBLIC AND OTHER WORKS WAGES ACT. R.S.O. 1914, c. 142.
- PUBLIC AUTHORITIES ACT. R.S.O. 1914, c. 89.
- PUBLIC AUTHORITIES' PROTECTION ACT. R.S.O. 1914, c. 89; 1916, c. 24, s. 16 am.; 1917, c. 27, s. 22 am.
- PUBLIC BUILDINGS. *See* Egress from Public Buildings Act.
- PUBLIC HEALTH. *See* Health.
- PUBLIC HEALTH ACT. R.S.O. 1914, c. 218; 1914, c. 21, ss. 46-47 am.; 1915, c. 40 am.; 1916, c. 51 am.; 1917, c. 51 am.; 1918, c. 41 am.; 1919, c. 25, ss. 30, 44, c. 62 am.; 1920, c. 81; 1921, c. 74 am.; 1922, c. 88 am.; 1923, c. 52 am.; 1924, c. 68 am., c. 69, s. 6 aff., s. 8 am., c. 83, s. 4 am.
- PUBLIC INQUIRIES ACT. R.S.O. 1914, c. 18; 1921, c. 4 am.
- PUBLIC INSTITUTIONS AMENDMENT ACT. 1919, c. 83.
- PUBLIC LANDS ACT. R.S.O. 1914, c. 28; 1914, c. 2, s. 4 am.; 1915, c. 20, s. 3 am.; 1916, c. 11, s. 5 am.; 1917, c. 10 am.; 1920, c. 12, ss. 6, 8 am.; 1921, c. 15 am.; 1922, c. 16 am.
- PUBLIC LIBRARIES ACT. R.S.O. 1914, c. 202; 1916, c. 45 am.; 1919, c. 25, ss. 26-29 am.; 1920, c. 69 rep. and sub.
- PUBLIC OFFICERS ACT. R.S.O. 1914, c. 15; 1914, c. 2, s. 4 am.
- PUBLIC OFFICERS' FEES ACT. R.S.O. 1914, c. 17; 1914, c. 2, s. 4 am., c. 21, s. 5 am.; 1915, c. 20, s. 2 am.; 1917, c. 27, ss. 4-5 am.; 1922, c. 7; 1924, c. 8 am.
- PUBLIC PARKS ACT. R.S.O. 1914, c. 203; 1914, c. 2, s. 4 am.; 1920, c. 70 am.; 1921, c. 71 am.
- PUBLIC REVENUE ACT. R.S.O. 1914, c. 22.
- PUBLIC SCHOOLS ACT. R.S.O. 1914, c. 266; 1914, c. 21, ss. 55-57 am.; 1916, c. 24, ss. 35-36, 40 am.; 1917, c. 27, ss. 41-46 am., c. 57 am.; 1918, c. 51, s. 3, s. 5, c. 52 am.; 1919, c. 6, c. 73, ss. 7-16, c. 75, ss. 2, 6, c. 76 am.; 1920, c. 99, ss. 11, 13, c. 100 rep.; 1921, c. 89, ss. 4-10 am.; 1922, c. 98, ss. 4-17 am.; 1924, c. 82, ss. 3-13 am., c. 83, s. 3 am.
- PUBLIC SERVICE. *See* General Purchasing Agents Act; Ontario Public Service Act; Ontario Public Service Superannuation Act; Public Officers Act; Public Officers' Fees Act.
- PUBLIC TRUSTEE. *See* Ontario Public Trustee Act.
- PUBLIC UTILITIES ACT. R.S.O. 1914, c. 204; 1914, c. 2, s. 4, c. 35 am.; 1916, c. 24, s. 29 am.; 1917, c. 14, s. 13, c. 47 am.; 1920, c. 71, c. 73 am.; 1924, c. 61 am.
- PUBLIC UTILITIES CORPORATIONS ACT. R.S.O. 1914, c. 189.
- PUBLIC VEHICLE ACT. 1920, c. 76; 1923, c. 49, s. 2, rep. and sub.; 1924, c. 63 am.
- PUBLIC WORKS. *See* Ontario Public Works Act.
- PUBLIC WORKS PEACE PRESERVATION ACT. R.S.O. 1914, c. 36.
- PULP. *See* Mills Licensing Act.
- PULPWOOD. *See* Export of Pulpwood Act; Poplar Pulpwood Export Act; Pulpwood Export Act.
- PULPWOOD EXPORT ACT. 1920, c. 14.
- PUNISHMENT FOR PERSONATION ACT. R.S.O. 1914, c. 9; 1917, c. 6, s. 18 am.
- PURCHASE OF TIMBER LIMITS OF THE PEMBROKE LUMBER COMPANY. 1914, c. 13.
- PURE-BRED CATTLE. *See* Protection of Pure-Bred Cattle Act.

## Q

- QUEEN VICTORIA NIAGARA FALLS PARK ACT. R.S.O. 1914, c. 50; 1914, c. 2, s. 4 am.; 1915, c. 14 am.; 1917, c. 27, s. 16 am.; 1920, c. 31 am.; 1922, c. 38 am.; 1923, c. 18 am.



QUEENSTON HEIGHTS PARK ACT. R.S.O. 1914, c. 51.

QUIETING TITLES ACT. R.S.O. 1914, c. 123.

## R

RACE TRACKS. *See* Corporations Tax Act.

RADIAL. *See* Railways.

RADIUM ACT. 1914, c. 15; 1920, c. 12, s. 11 aff.

RAILWAYS. *See* County of York Radial Railway Act; Guelph Railway Act; Hydro-Electric Railway Act; Municipal Electric Railway Act; Ontario Railway Act; Ontario Railway and Municipal Board Act; Railway Employees' and Commercial Travellers' Voting Act; Toronto Power and Railway Purchase Act; Toronto Radial Railway Act; Toronto Suburban Railway Company.

RAILWAY EMPLOYEES' AND COMMERCIAL TRAVELLERS' VOTING ACT. 1923, c. 44; 1924, c. 55 am.

RAILWAY EMPLOYEES' VOTING ACT. 1918, c. 33; 1920, c. 62 am.; 1922, c. 73 am.; 1923, c. 44 rep. and sub.

RECEPTION HOSPITALS FOR THE INSANE ACT. 1914, c. 54; 1919, c. 83, s. 4 am.

RECIPROCAL INSURANCE ACT. 1922, c. 62; 1924, c. 50, s. 275 rep.

REDEMPTION OF GOVERNMENT STOCK. *See* Ontario Loan Act.

REFINING OF METALS. *See* Metal Refining Bounty Act.

REFORESTATION. *See* Counties' Reforestation Act; Reforestation Act.

REFORESTATION ACT. 1921, c. 19; 1923, c. 10 am.

REFORMATORY. *See* Ontario Reformatory Act.

REGISTRATION. *See* Brokers' Registration Act; Land Titles Act; Manhood Suffrage Registration Act; Partnership Registration Act; Registration of Nurses Act; Registry Act; Statute Law Amendment Act, 1918, c. 20, s. 70; 1919, c. 25, s. 37; Toronto Registry Office Act.

REGISTRATION OF NURSES ACT. 1922, c. 60.

REGISTRY ACT. R.S.O. 1914, c. 124; 1914, c. 23 am.; 1915, c. 6, s. 4, c. 20, s. 13 am.; 1916, c. 11, s. 5 aff.; c. 24, s. 20 am.; 1917, c. 27, ss. 25-27 am., c. 30, c. 32 am.; 1918, c. 27 am.; 1919, c. 25, ss. 16-19 am.; 1921, c. 49 am.; 1922, c. 2, s. 9 am.; 1923, c. 26 am., c. 27 aff.; 1924, c. 38 am.

RELIGIOUS INSTITUTIONS ACT. R.S.O. 1914, c. 286; 1920, c. 106 am.

REPLEVIN ACT. R.S.O. 1914, c. 69; 1920, c. 37 am.

REPRESENTATION ACT. R.S.O. 1914, c. 5; 1914, c. 4 rep.; 1915, c. 2 am.; 1919, c. 33, s. 2 am.

RETURNED SOLDIERS' AND SAILORS' LAND SETTLEMENT ACT. 1917, c. 13; 1918, c. 8, s. 2 aff.; 1919, c. 15 aff.; 1920, c. 16 am.; 1921, c. 18 aff.

REVENUE. *See* An Act for Raising Money on the Credit of the Consolidated Revenue Fund of Ontario; Consolidated Revenue Fund Act; Public Revenue Act.

RIOTS. *See* Public Works Peace Preservation Act.

RIVERS. *See* Beach Protection Act; Rivers and Streams Act.

RIVERS AND STREAMS ACT. R.S.O. 1914, c. 130; 1915, c. 15; 1922, c. 55.

ROAD CONSTRUCTION. 1917, c. 27, s. 70.

ROADS. *See* Highways.

ROYAL ONTARIO MUSEUM ACT. R.S.O. 1914, c. 285; 1914, c. 50 am.; 1920, c. 12, s. 10 aff.

RURAL HYDRO-ELECTRIC DISTRIBUTION ACT. 1921, c. 21; 1922, c. 32 am.; 1923, c. 13 am.; 1924, c. 25 am.

## S

SALARIES TO CERTAIN OFFICERS. 1918, c. 20, ss. 62, 64.

SALE OF GOODS ACT. 1920, c. 40.

SALE OF SECURITIES ACT. 1923, c. 38; 1924, c. 48.

SALES. *See* Bulk Sales Act; Milk Sales Act; Sale of Goods Act.

SANATORIA FOR CONSUMPTIVES ACT. R.S.O. 1914, c. 298; 1914, c. 56 am.; 1916, c. 24, s. 45 am.; 1917, c. 27, s. 56 am.; 1918, c. 20, s. 51 am.; 1919, c. 83, s. 13 am.; 1920, c. 109 am.

SAW LOGS. *See* Ontario Cullers Act; Saw Logs Driving Act.

SAW LOGS DRIVING ACT. R.S.O. 1914, c. 131; 1914, c. 2, s. 4 am.

SAW MILLS. *See* Mills Licensing Act.

SCHOOLS. *See* Education.

SCHOOL ATTENDANCE ACT. 1919, c. 77; 1921, c. 89, ss. 19-26 am.; 1922, c. 98, s. 24 am.

SCHOOL LAW AMENDMENT ACT. 1915, c. 43; 1916, c. 24, s. 39 am.; 1917, c. 27, s. 48 am.; 1918, c. 51 am.; 1919, c. 73 am.; 1920, c. 99 am.; 1921, c. 89 am., c. 90, s. 18 am.; 1922, c. 98 am.; 1924, c. 82 am.

SCHOOL MEDICAL AND DENTAL INSPECTION ACT. 1924, c. 83.

SCHOOL SITES ACT. R.S.O. 1914, c. 277; 1919, c. 73, s. 19 am.; 1920, c. 99, ss. 8-9 am.; 1921, c. 91 am.; 1922, c. 100 am.; 1924, c. 82, s. 19 am.

SCHOOL TRUST CONVEYANCES ACT. R.S.O. 1914, c. 278.

SCHOOLS FOR THE DEAF AND BLIND ACT. R.S.O. 1914, c. 273; 1922, c. 98, s. 29 am.

SECRETARY. *See* Legislative Secretary for Northern Ontario Act.

SECURITIES. *See* Sale of Securities Act.

SEDUCTION ACT. R.S.O. 1914, c. 72.

SEPARATE SCHOOLS ACT. R.S.O. 1914, c. 270; 1914, c. 2, s. 4 am.; 1916, c. 24, s. 40 am.; 1917, c. 27, s. 51 am.; 1919, c. 6, c. 73, s. 18 am.; 1920, c. 101 am.; 1922, c. 99 am.

SETTLED ESTATES ACT. R.S.O. 1914, c. 74.

SHEEP. *See* Dog Tax and Sheep Protection Act.

SHERIFFS ACT. R.S.O. 1914, c. 16; 1914, c. 21, ss. 3-4 am.; 1918, c. 20, ss. 7-8 am.; 1922, c. 6 am.; 1924, c. 7, s. 4.

SHEVLIN-CLARKE TIMBER LICENSE ACT. 1922, c. 20.

SHORT FORMS OF CONVEYANCES ACT. R.S.O. 1914, c. 115.

SHORT FORMS OF LEASES ACT. R.S.O. 1914, c. 116.

SHORT FORMS OF MORTGAGES ACT. R.S.O. 1914, c. 117.

SHOWS. *See* Travelling Shows Act.

SNOW FENCES ACT. R.S.O. 1914, c. 211; 1916, c. 48 am.

SNOW ROADS ACT. R.S.O. 1914, c. 208.

SOLDIERS. *See* An Act to confer Certain Provisions respecting Hospitals on the Lieutenant-Governor in Council; Payment of Insurance on Lives of Soldiers Act; Returned Soldiers' and Sailors' Land Settlement Act; Soldiers' Aid Commission Act; Soldiers' Children's Protection Act; Soldiers' and Sailors' Proof of Death Act.

SOLDIERS' AID COMMISSION ACT. 1916, c. 3; 1917, c. 27, s. 60 am.; 1919, c. 25, ss. 34, 44 am.; 1920, c. 29 am.; 1922, c. 40 am.

SOLDIERS' CHILDREN'S PROTECTION ACT. 1920, c. 29.

SOLDIERS' AND SAILORS' PROOF OF DEATH ACT. 1919, c. 30; 1921, c. 40 am.

SOLEMNIZATION OF MARRIAGE. *See* Marriage Act.

SOLICITORS ACT. R.S.O. 1914, c. 159; 1920, c. 45 am.

SPECIAL CLASSES ACT. R.S.O. 1914, c. 272; 1914, c. 49, s. 14 rep.

STALLIONS. *See* Ontario Stallion Act.

STANDARD HOTEL REGISTRATION ACT. 1923, c. 50.

STATIONARY ENGINEERS ACT. R.S.O. 1914, c. 170; 1914, c. 28 am.; 1915, c. 20, s. 17 am.; 1916, c. 13, s. 9 aff.; 1919, c. 37 rep. and sub.

STATIONARY AND HOISTING ENGINEERS ACT. 1919, c. 37; 1920, c. 50 am.; 1921, c. 56 am.

STATUTE OF FRAUDS. R.S.O. 1914, c. 102; 1916, c. 24, s. 19 am.; 1918, c. 20, s. 58 am.; 1920, c. 40, s. 59 am.

STATUTE LABOUR ACT. R.S.O. 1914, c. 196; 1916, c. 42 am.; 1917, c. 46 am.; 1918, c. 35 am.; 1920, c. 65 am.; 1921, c. 69 am.

STATUTES ACT. R.S.O. 1914, c. 2; 1918, c. 20, ss. 1-2 am.

STEAM BOILER ACT. R.S.O. 1914, c. 252; 1916, c. 13, s. 9 aff., c. 58 am.; 1918, c. 20, ss. 45-46 am.; 1922, c. 95 am.

STEAM THRESHING ENGINES ACT. R.S.O. 1914, c. 251.

STENOGRAPHIC REPORTERS ACT. R.S.O. 1914, c. 168.

SUBURBAN AREAS. *See* City and Suburbs Plans Act; Planning and Development Act; Suburban Area Development Act.

SUBURBAN AREA DEVELOPMENT ACT. 1921, c. 66; 1922, c. 77 am.

SUCCESSION DUTY ACT. R.S.O. 1914, c. 24; 1914, c. 2, s. 4, c. 10 am.; 1915, c. 7 am.; 1916, c. 7 am.; 1917, c. 27, ss. 7-8 am.; 1918, c. 6 am.; 1919, c. 9 am.; 1920, c. 8 am.; 1921, c. 10 am.

- SUDBURY, OTTAWA AND PRESCOTT HIGHWAY. 1915, c. 20, s. 29.
- SULPHUR FUMES. *See* Damage by Fumes Arbitration Act.
- SUMMARY CONVICTIONS. *See* Ontario Summary Convictions Act.
- SUPERANNUATION. *See* Ontario Public Service Superannuation Act; Teachers' and Inspectors' Superannuation Act.
- SURROGATE COURTS ACT. R.S.O. 1914, c. 62; 1914, c. 2, s. 4 am.; 1916, c. 28 am.; 1917, c. 28 am.; 1918, c. 22 am.; 1919, c. 27 am.; 1920, c. 33 am.; 1921, c. 47, ss. 4-5 am.; 1922, c. 44 am.
- SURVEYS ACT. R.S.O. 1914, c. 166; 1914, c. 27 am.; 1915, c. 29 am.; 1920, c. 48 rep. and sub.; 1924, c. 45 am.
- SURVEYORS. *See* Ontario Land Surveyors Act.
- SWARMS OF BEES ACT. R.S.O. 1914, c. 107.

## T

- TAX ON REGISTRATION OF MORTGAGES. 1918, c. 20, s. 70; 1919, c. 25, s. 37 am.
- TAXATION. *See* Amusements Tax Act; Corporations Tax Act; Department of Mines Act; Land Transfers Tax Act; Mining Tax Act; Mining Tax Titles Validity Act; Provincial Land Tax Act.
- TEACHERS' AND INSPECTORS' SUPERANNUATION ACT. 1917, c. 58; 1918, c. 51, ss. 6-11, 13 am.; 1919, c. 74 am.; 1920, c. 99, s. 10 am.; 1921, c. 89, ss. 17-18 am.; 1922, c. 98, ss. 25-28 am.; 1924, c. 7, s. 7.
- TECHNICAL EDUCATION. *See* Industrial Education; Technical Education Act; Vocational Education Act.
- TECHNICAL EDUCATION—SALARY OF DIRECTOR. 1918, c. 20, s. 62.
- TECHNICAL EDUCATION ACT. 1920, c. 102; 1922, c. 98, s. 22 aff.
- TELEGRAPH. *See* Ontario Telegraph Act.
- TELEPHONE. *See* Ontario Telephone Act; Telephone Amendment Act.
- TELEPHONE AMENDMENT ACT. 1915, c. 33.
- TEMISKAMING COURTS ACT. 1921, c. 39; 1922, c. 2, s. 13 rep.
- TEMISKAMING AND NORTHERN ONTARIO RAILWAY ACT. R.S.O. 1914, c. 38; 1914, c. 2, s. 4 am.; 1915, c. 20, ss. 5-6 am.; 1917, c. 27, s. 13 am.; 1918, c. 20, s. 9 am.; 1919, c. 25, s. 5 am.; 1920, c. 17.
- TEMPERANCE. *See* Liquor Traffic; Ontario Temperance Act; Temperance Referendum Act.
- TEMPERANCE REFERENDUM ACT. 1919, c. 61.
- TERRITORIAL DIVISIONS ACT. R.S.O. 1914, c. 3; 1914, c. 2, s. 4, c. 3 am.; 1917, c. 27, s. 1 am.
- THEATRES AND CINEMATOGRAPHS ACT. R.S.O. 1914, c. 236; 1914, c. 21, s. 53 am.; 1915, c. 20, s. 21 am.; 1916, c. 24, ss. 31-32 am.; 1917, c. 27, ss. 34-35 am.; 1918, c. 20, ss. 43-44 am.; 1919, c. 66 am.
- THRASHING MACHINES. *See* Steam Threshing Machines Act; Threshing Machines Act.
- THRASHING MACHINES ACT. R.S.O. 1914, c. 238.
- TICKET SPECULATION ACT. 1914, c. 39.
- TILE DRAINAGE ACT. R.S.O. 1914, c. 44; 1914, c. 18; 1916, c. 23 am.; 1917, c. 24 am.; 1918, c. 20, s. 10 am.; 1920, c. 26 am.; 1923, c. 14 am.
- TIMBER. *See* Ontario Cullers' Act.
- TIMBER-CUTTING PRIVILEGES ACT. 1922, c. 19.
- TIMBER LIMITS. *See* Crown Timber Act; Purchase of Timber Limits of the Pembroke Lumber Company Act; Shevlin-Clarke Timber License Act; Timber-Cutting Privileges Act.
- TIMBER SLIDE COMPANIES ACT. R.S.O. 1914, c. 181; 1921, c. 59 am.
- TIMMINS, TOWN OF—DEBENTURES OF SEPARATE SCHOOL BOARD. 1917, c. 27, s. 69; 1918, c. 20, s. 59 am. *See* Debentures Guarantee Act, 1924.
- TINY—TOWNSHIP OF, AUTHORIZED TO PURCHASE LANDS FROM CROWN. 1916, c. 24, s. 52.
- TISDALE, TOWNSHIP OF. *See* Municipal Debentures Guarantee Act.
- TOLL ROADS ACT. R.S.O. 1914, c. 210; 1919, c. 58 am.
- TOLLS EXEMPTION ACT. R.S.O. 1914, c. 209.
- TORONTO BOARD OF EDUCATION ACT. 1915, c. 44.
- TORONTO CONSERVATORY OF MUSIC—AGREEMENT WITH UNIVERSITY OF TORONTO. 1919, c. 79.

- TORONTO GENERAL HOSPITAL ACT. R.S.O. 1914, c. 299; 1918, c. 20, ss. 52-53 am.
- TORONTO AND HAMILTON HIGHWAY COMMISSION ACT. 1915, c. 18; 1916, c. 16 am.; 1917, c. 19 am.; 1918, c. 18 am.; 1919, c. 20 am.; 1920, c. 24 am.; 1921, c. 26 am.; 1922, c. 29 am., c. 48, s. 2 am.; 1924, c. 27, ss. 11, 12 am.
- TORONTO POWER AND RAILWAY PURCHASE ACT. 1921, c. 23.
- TORONTO RADIAL RAILWAY ACT. 1921, c. 24.
- TORONTO REGISTRY OFFICE ACT. 1923, c. 27.
- TORONTO SUBURBAN RAILWAY COMPANY ACT. 1922, c. 35.
- TORONTO AND YORK CROWN ATTORNEYS ACT. 1921, c. 44.
- TOWN SITES ACT. R.S.O. 1914, c. 34; 1922, c. 25 am.
- TOWNSHIP OF WHITNEY DEBENTURES ACT. 1924, c. 2.
- TRACTION ENGINES ACT. R.S.O. 1914, c. 212; 1916, c. 49, s. 9 am.; 1923, c. 48, s. 67 rep.
- TRADE DISPUTES ACT. R.S.O. 1914, c. 145.
- TRADES AND LABOUR BRANCH ACT. 1916, c. 13; 1917, c. 15 am.; 1918, c. 20, s. 56 am.; 1919, c. 22 am.; 1921, c. 77 am.
- TRANSFER OF PROPERTY. *See* Conveyancing and Law of Property Act; Land Titles Act; Registry Act; Short Forms of Conveyances Act.
- TRANSFER OF RECORDS TO PROVINCIAL ARCHIVIST. 1916, c. 25.
- TRAVELLING SHOWS ACT. R.S.O. 1914, c. 214; 1914, c. 21, s. 45 am.; 1915, c. 20, s. 20 am.; 1920, c. 77 am.; 1922, c. 84 am.
- TREE PLANTING ACT. R.S.O. 1914, c. 213.
- TRUANCY ACT. R.S.O. 1914, c. 274; 1914, c. 21, ss. 62-63 am.; 1917, c. 27, ss. 52-54 am.; 1919, c. 77 am.
- TRUSTEE ACT. R.S.O. 1914, c. 121; 1914, c. 21, ss. 28, 67 am.; 1915, c. 20, s. 15 am.; 1916, c. 28, c. 29 am.; 1918, c. 20, s. 23 am.; 1919, c. 31, c. 32, s. 10 am.; 1921, c. 47, s. 7, c. 48 am.; 1923, c. 25.
- TRUST CORPORATIONS. *See* Loan and Trust Corporations Act.

## U

- UNEMPLOYMENT. *See* An Act respecting Works and Measures to relieve Unemployment.
- UNIVERSITY ACT. R.S.O. 1914, c. 279; 1914, c. 21, s. 64 am.; 1916, c. 63 am.; 1918, c. 20, s. 50, c. 53 am.; 1919, c. 79; 1922, c. 101 am.; 1924, c. 85 am.
- UNIVERSITY AID ACT. 1918, c. 53.
- UNIVERSITY OF TORONTO—AGREEMENT WITH TORONTO CONSERVATORY OF MUSIC. 1919, c. 79.
- UNORGANIZED TERRITORY. *See* Provincial Land Tax.
- UPPER CANADA COLLEGE ACT. R.S.O. 1914, c. 280; 1916, c. 24, s. 43 am.; 1918, c. 54 am.; 1919, c. 80 am.; 1922, c. 102 am.
- UNWROUGHT METAL SALES ACT. 1924, c. 20.

## V

- VACANT LAND CULTIVATION ACT. 1918, c. 39; 1919, c. 56 am.; 1920, c. 66 rep.
- VACCINATION ACT. R.S.O. 1914, c. 219.
- VEHICLES. *See* Public Vehicles Act.
- VENDORS AND PURCHASERS ACT. R.S.O. 1914, c. 122.
- VENEREAL DISEASES PREVENTION ACT. 1918, c. 42; 1920, c. 82 am.; 1922, c. 89 am.
- VETERANS' LAND GRANT ACT. 1901, c. 6; 1920, c. 15; 1922, c. 17 am.
- VETERINARY COLLEGE ACT. R.S.O. 1914, c. 282; 1919, c. 81 am.
- VETERINARY SCIENCE PRACTICE ACT. 1920, c. 51.
- VETERINARY SURGEONS ACT. R.S.O. 1914, c. 171; 1918, c. 20, s. 27 am.; 1920, c. 51 rep. and sub.
- VEXATIOUS ACTIONS. *See* Public Authorities Protection Act.
- VITAL STATISTICS ACT. R.S.O. 1914, c. 49; 1919, c. 23 rep. and sub.
- VOCATIONAL EDUCATIONAL ACT. 1921, c. 90; 1922, c. 98, s. 22 aff.; 1924, c. 82, s. 18 am.
- VOTERS' LISTS. *See* Ontario Voters' Lists Act.

## W

- WAGES ACT. R.S.O. 1914, c. 143; 1920, c. 42 am.  
 WAGES ON PUBLIC WORKS. *See* Public and Other Works Wages Act.  
 WAGES—WOMEN AND GIRLS. *See* Minimum Wage Act.  
 WALKERTON AGRICULTURAL SOCIETY. *See* Agricultural Societies Act.  
 WAREHOUSEMEN'S LIEN ACT. 1924, c. 39.  
 WAR TAX. *See* Provincial War Tax Act.  
 WATER POWERS' REGULATION ACT. 1916, c. 21; 1917, c. 22 am.; 1918, c. 20, s. 57 am.; 1920, c. 19 am.  
 WATER PRIVILEGES ACT. R.S.O. 1914, c. 129.  
 WELL DRILLERS' ACT. 1924, c. 75.  
 WESTMINSTER CONTINUATION SCHOOL ACT. 1924, c. 84.  
 WHARFS AND HARBOURS ACT. R.S.O. 1914, c. 182.  
 WHITNEY. *See* An Act to Provide for the Payment of an Annuity to Alice, Lady Whitney.  
 WHITNEY, TOWNSHIP OF. *See* Township of Whitney Debentures Act.  
 WILLS ACT. R.S.O. 1914, c. 120; 1914, c. 21, s. 27 am.; 1919, c. 25, s. 15, c. 29 am.  
 WITNESSES. *See* Evidence Act.  
 WIVES. *See* Deserted Wives' Maintenance Act; Dower Act.  
 WOLF BOUNTY ACT. R.S.O. 1914, c. 264; 1916, c. 61 am.; 1918, c. 20, s. 48 am.; 1920, c. 98 am.; 1924, c. 81, rep. and sub.  
 WOMEN'S ASSEMBLY QUALIFICATION ACT. 1919, c. 8.  
 WOMEN'S MUNICIPAL FRANCHISE ACT. 1917, c. 43; 1922, c. 72, s. 538, (1) (g) am.  
 WOMEN'S MUNICIPAL QUALIFICATION ACT. 1919, c. 47.  
 WOMEN'S RURAL SCHOOL BOARD QUALIFICATION ACT. 1919, c. 76; 1920, c. 100, s. 137, rep.  
 WOODMAN'S LIEN FOR WAGES ACT. R.S.O. 1914, c. 141.  
 WORKMEN'S COMPENSATION ACT. 1914, c. 25; 1915, c. 24 am.; 1916, c. 31 am.; 1919, c. 34 am.; 1920, c. 43 am.; 1922, c. 56 am.; 1923, c. 31 am.; 1924, c. 41 am.  
 WORKMEN'S COMPENSATION INSURANCE ACT. 1915, c. 25.  
 WORKMEN'S COMPENSATION FOR INJURIES ACT. R.S.O. 1914, c. 146; 1914, c. 25 rep. and sub.

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- YARMOUTH AND BELMONT AGRICULTURAL SOCIETY. *See* Agricultural Societies Act.  
 YORK, COUNTY OF, HIGHWAY IMPROVEMENT PLAN FOR. 1918, c. 20, s. 69.













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